United Nations

A/HRC/33/L.27

General Assembly

Distr.: Limited
26 September 2016

Original: English

Human Rights Council
Thirty-third session
Agenda item 3
Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

Albania, Andorra,* Austria,* Belgium, Colombia,* Cyprus,* Georgia, Germany, Iceland,* Liechtenstein,* Mexico, Monaco,* Panama, Peru,* Slovakia,* Ukraine,* Uruguay:* draft resolution

33/... Protection of human rights and fundamental freedoms while countering terrorism

The Human Rights Council,

Reaffirming its decision 2/112 of 27 November 2006 and resolutions 6/28 of 14 December 2007, 7/7 of 27 March 2008, 10/15 of 26 March 2009, 13/26 of 26 March 2010, 19/19 of 23 March 2012, and 25/7 of 27 March 2014, 29/9 of 2 July 2015 and 31/3 of 23 March 2016, and Commission on Human Rights resolutions 2003/68 of 25 April 2003, 2004/87 of 21 April 2004 and 2005/80 of 21 April 2005, recalling General Assembly resolutions 57/219 of 18 December 2002, 58/187 of 22 December 2003, 59/191 of 20 December 2004, 60/158 of 16 December 2005, 61/171 of 19 December 2006, 62/159 of 18 December 2007, 63/185 of 18 December 2008, 64/168 of 18 December 2009, 65/221 of 21 December 2010, 66/171 of 19 December 2011, 68/178 of 18 December 2013, 70/148 of 17 December 2015 and 70/291 of 1 July 2016, and welcoming the efforts of all relevant stakeholders to implement them,

1. *Calls upon* States to ensure that any measure taken to counter terrorism and violent extremism conducive to terrorism complies with international law, in particular international human rights, refugee and humanitarian law;

2. *Expresses serious concern* at the violations of human rights and fundamental freedoms and of international refugee law and international humanitarian law in the context of countering terrorism and violent extremism conducive to terrorism;

3. *Affirms* its unequivocal condemnation of all acts, methods and practices of terrorism and violent extremism conducive to terrorism, in all its forms and manifestations, wherever and by whomsoever committed, regardless of their motivation, and of the

* State not a member of the Human Rights Council.

financing and other forms of material support of terrorism as unjustifiable, in the light of, in particular, their detrimental effects on the enjoyment of human rights and on democratic societies;

4. *Renews* its commitment to strengthen international cooperation to prevent, counter and combat terrorism and, in that regard, calls upon States and other relevant parties, as appropriate, to continue to implement the United Nations Global Counter-Terrorism Strategy and its four pillars, which reaffirm, inter alia, respect for human rights for all and the rule of law as being the fundamental basis of the fight against terrorism;

5. *Stresses* the responsibility of States to protect persons in their territory against such acts, in full compliance with their obligations under international law, and in particular international human rights law, international refugee law and international humanitarian law;

6. *Reaffirms* the importance of ensuring that the protection of human rights and fundamental freedoms and respect for the rule of law as essential components of the work and strategies of the United Nations for supporting Member States in the context of the fight against terrorism and violent extremism conducive to terrorism;

7. *Deeply deplores* the suffering caused by terrorism to the victims and their families, in particular women and children, and, while stressing the need to promote and protect the rights of victims of terrorism, reaffirms its profound solidarity with them, and stresses the importance of providing them with proper support and assistance while taking into account, inter alia, when appropriate, considerations regarding remembrance, dignity, respect, justice and truth, in accordance with international law;

8. *Emphasizes* the need to ensure that victims of terrorism are treated with dignity and respect, stresses the need to promote international solidarity in support of the victims of terrorism, and recognizes the role that victims of terrorism can play, including in countering the appeal of terrorism;

9. *Calls upon* States, while countering terrorism, to ensure that any person who alleges that his or her human rights or fundamental freedoms have been violated has access to justice, due process and an effective remedy, and that victims of human rights violations receive adequate, effective and prompt reparations, which should include, as appropriate, restitution, compensation, rehabilitation and guarantees of non-recurrence;

10. *Urges* States, while countering terrorism, to respect and protect all human rights, including economic, social and cultural rights, bearing in mind that certain counter-terrorism measures may have an impact on the enjoyment of those rights;

11. *Stresses* the importance of developing and maintaining effective, fair, humane, transparent and accountable criminal justice systems, in accordance with applicable international law, as a fundamental basis of any strategy to counter terrorism and violent extremism conducive to terrorism;

12. *Strongly encourages* relevant United Nations agencies to take into account in their technical assistance to counter terrorism, whenever appropriate, the elements necessary for building national capacity in order to strengthen criminal justice systems and the rule of law;

13. *Reaffirms* that terrorism and violent extremism cannot and should not be associated with any religion, nationality, civilization or ethnic group;

14. *Urges* States to ensure that measures taken to counter terrorism and violent extremism conducive to terrorism are not discriminatory, and not to resort to profiling based on stereotypes founded on ethnic, racial or religious grounds or any other ground of discrimination prohibited by international law, and regrets the fact that certain measures

taken to counter terrorism and violent extremism conducive to terrorism have been implemented in a way that improperly target specific groups,

15. *Welcomes* the work carried out by the special procedures of the Human Rights Council on the promotion and protection of human rights and fundamental freedoms while countering terrorism,

16. *Recognizes* the important role of education, respect for cultural diversity, preventing and combating discrimination, employment and inclusion in helping to prevent terrorism and violent extremism conducive to terrorism, and welcomes the engagement of relevant United Nations agencies with Member States to implement strategies to prevent violent extremism conducive to terrorism through education,

17. *Also recognizes* the importance of preventing violent extremism conducive to terrorism, and in this regard recalls General Assembly resolution 70/254 of 12 February 2016, in which the Assembly welcomed the initiative by the Secretary-General and took note of his Plan of Action to Prevent Violent Extremism, and resolution 70/291, in which it encouraged United Nations entities, in line with their mandates, to implement relevant recommendations of the Plan of Action, including by providing technical assistance to Member States upon their request, and invites Member States and regional and subregional organizations to consider developing national and regional plans of action to prevent violent extremism conducive to terrorism,

18. *Acknowledges* that the active participation of civil society can reinforce ongoing governmental efforts to protect human rights and fundamental freedoms while countering terrorism,

19. *Calls upon* States to ensure that measures to combat terrorism and preserve national security are in compliance with their obligations under international law, in particular under international human rights law, and do not hinder the work and safety of individuals, groups and organs of society engaged in promoting and defending human rights;

20. *Urges* States to ensure that gender equality and non-discrimination are taken into account when shaping, reviewing and implementing all counter-terrorism measures,

21. *Calls upon* States to highlight the important role of women in countering terrorism and violent extremism conducive to terrorism, and to consider, when appropriate, the impact of counter-terrorism strategies on women's human rights and women's organizations, and to seek consultations with women and women's organizations when developing strategies to counter terrorism and preventing violent extremism conducive to terrorism,

22. *Recognizes* the important role of religious leaders and institutions, local communities and community leaders in preventing and countering terrorism and violent extremism conducive to terrorism,

23. *Reiterates* that, given their potential status as victims of terrorism and of other violations of international law, all children alleged as, accused of or recognized as having infringed the law, particularly those who are deprived of their liberty, as well as child victims and witnesses of crimes, should be treated in a manner consistent with his or her rights, dignity and needs, in accordance with applicable international law, in particular the obligations set out under the Convention on the Rights of the Child, and, bearing in mind relevant international standards on human rights in the administration of justice in this regard, urges Member States to take relevant measures to effectively reintegrate children formerly associated with armed groups, including terrorist groups,

24. *Urges* all States to respect and protect the right to privacy, as set out in article 12 of the Universal Declaration of Human Rights and article 17 of the International Covenant on Civil and Political Rights, including in the context of digital communication, and calls upon States, while countering terrorism and violent extremism conducive to terrorism, to review their procedures, practices and legislation regarding the surveillance of communications, their interception and the collection of personal data, including mass surveillance, interception and collection, with a view to upholding the right to privacy by ensuring the full and effective implementation of all their obligations under international human rights law, and urges them to take measures to ensure that any interference with the right to privacy is regulated by law, which must be publicly accessible, clear, precise, comprehensive and non-discriminatory, and that such interference is not arbitrary or unlawful, bearing in mind what is reasonable to the pursuance of legitimate aims;

25. *Emphasizes* the key importance of the full respect for the right to freedom of opinion and expression in efforts to fight terrorism and violent extremism conducive to terrorism, and also in countering the propaganda of terrorist and extremist groups, bearing in mind the provisions set out in the International Convention on Civil and Political Rights;

26. *Urges* States to ensure that any measure taken or means employed to counter terrorism and violent extremism conducive to terrorism, including the use of remotely piloted aircraft, complies with their obligations under international law, including international human rights law and international humanitarian law;

27. *Also urges* States, while undertaking counter-terrorism activities, to respect their international obligations regarding humanitarian actors and to recognize the key role played by humanitarian organizations in areas where terrorist groups are active;

28. *Further urges* States to undertake prompt, independent and impartial fact-finding inquiries whenever there are plausible indications of breaches of their obligations under international law as a result of any measures taken or means employed to counter terrorism, and to ensure accountability for those responsible for violations that amount to crimes under national or international law;

29. *Notes with concern* measures that can undermine human rights and the rule of law, such as the detention of persons suspected of acts of terrorism or violent extremism conducive to terrorism in the absence of a legal basis for detention and due process guarantees, the unlawful deprivation of the right to life, and other fundamental freedoms, such as freedom of peaceful assembly and association, the deprivation of liberty that amounts to placing a detained person outside the protection of the law, the trial of suspects without fundamental judicial guarantees, the illegal deprivation of liberty and transfer of individuals suspected of terrorist activities, the return of suspects to countries without individual assessment of the risk of there being substantial grounds for believing that they would be in danger of subjection to torture, and limitations to effective scrutiny of counter-terrorism measures;

30. *Stresses* that all measures used in the fight against terrorism and violent extremism conducive to terrorism, including the profiling of individuals and the use of diplomatic assurances, memorandums of understanding and other transfer agreements or arrangements, must be in compliance with the obligations of States under international law, including international human rights law, international refugee law and international humanitarian law;

31. *Urges* States, while countering terrorism and violent extremism conducive to terrorism, to respect the rights to be equal before the courts and tribunals and to a fair trial, as provided for by international law, including international human rights law, such as article 14 of the International Covenant on Civil and Political Rights and, as applicable international humanitarian law and international refugee law;

32. *Also urges* States to take measures to ensure that counter-terrorism laws and implementing measures are consistent with and are applied in a manner that fully respects the rights enshrined in articles 10 and 11 of the Universal Declaration of Human Rights and further codified in articles 14 and 15 of the International Covenant on Civil and Political Rights, in particular to ensure respect for the principle of certainty of the law by clear and precise provisions;

33. *Reiterates its concern* with regard to measures that can undermine human rights and the rule of law, and urges all States to take all steps necessary to ensure that persons deprived of their liberty, regardless of the place of arrest or detention, enjoy the guarantees to which they are entitled under international law, including review of their detention and other fundamental judicial guarantees;

34. *Recalls* General Assembly resolution 60/288 of 8 September 2006, by which the Assembly adopted the United Nations Global Counter-Terrorism Strategy, and welcomes Assembly resolution 70/291 on the review of the Strategy, in which it called upon Member States and the United Nations entities involved in supporting counter-terrorism efforts to continue to facilitate the promotion and protection of human rights and fundamental freedoms, as well as due process and the rule of law, while countering terrorism;

35. *Calls upon* all States to promote a culture of peace, justice and human development, ethnic, national and religious tolerance by establishing and encouraging, as appropriate, education and public awareness programmes involving all sectors of society;

36. *Takes note* of the report of the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism;[1]

37. *Welcomes* the report of the United Nations High Commissioner for Human Rights on best practices and lessons learned on how protecting and promoting human rights contribute to preventing and countering violent extremism;[2]

38. *Requests* the Special Rapporteur, in accordance with his mandate, to continue to gather, request, receive and exchange information on alleged violations of human rights and fundamental freedoms while countering terrorism, and to report regularly to the Human Rights Council;

39. *Requests* all States to cooperate fully with the Special Rapporteur in the performance of the tasks and duties mandated, including by reacting promptly to urgent appeals and providing the information requested, and to give serious consideration to responding favourably to requests by the Special Rapporteur to visit their countries;

40. *Encourages* United Nations bodies, agencies, funds and programmes involved in supporting counter-terrorism efforts to continue to facilitate the promotion and protection of human rights and fundamental freedoms, as well as due process and the rule of law, while countering terrorism;

41. *Requests* the High Commissioner and the Special Rapporteur to contribute further, appropriately, to the ongoing discussion on the efforts of States Members of the United Nations to put in place adequate human rights guarantees to ensure fair and clear procedures, in particular with regard to placing individuals and entities on, and removing them from, terrorism-related sanctions lists;

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[1] A/HRC/31/65.

[2] A/HRC/33/29.

42. *Recalls* that the General Assembly, in its resolution 70/148, recognized the need to continue to ensure that fair and clear procedures under the United Nations terrorism-related sanctions regime are strengthened in order to enhance their efficiency and transparency, and welcomed and encouraged the ongoing efforts of the Security Council in support of those objectives, including by supporting the enhanced role of the Office of the Ombudsperson and continuing to review all the names of individuals and entities in the regime, while emphasizing the importance of sanctions in countering terrorism;

43. *Stresses* the importance that relevant United Nations bodies and entities and international, regional and subregional organizations, in particular those that are participating in the Counter-Terrorism Implementation Task Force, that provide technical assistance relating to the prevention and suppression of terrorism to consenting States, include, as appropriate and where consistent with their mandates, respect of international human rights law and, as applicable, international humanitarian law and international refugee law, as well as the rule of law, as an important element of the technical assistance that they offer to States in the area of counter-terrorism, including by drawing on the advice of, and otherwise ensuring ongoing dialogue with, the special procedures of the Human Rights Council within their mandates and the Office of the High Commissioner and relevant stakeholders;

44. *Requests* the High Commissioner and the Special Rapporteur to present their reports, bearing in mind the content of the present resolution, to the Human Rights Council under agenda item 3, in conformity with its annual programme of work.

United Nations A/HRC/33/L.27/Rev.1

General Assembly

Distr.: Limited
28 September 2016

Original: English

Human Rights Council
Thirty-third session
Agenda item 3
Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

Albania, Andorra,* Austria,* Belgium, Brazil,* Chile,* Colombia,* Costa Rica,* Cyprus,* France, Georgia, Germany, Iceland,* Ireland,* Italy,* Liechtenstein,* Mexico, Monaco,* Panama, Peru,* Slovakia,* the former Yugoslav Republic of Macedonia, Ukraine,* Uruguay:* draft resolution

33/... Protection of human rights and fundamental freedoms while countering terrorism

The Human Rights Council,

Reaffirming its decision 2/112 of 27 November 2006 and resolutions 6/28 of 14 December 2007, 7/7 of 27 March 2008, 10/15 of 26 March 2009, 13/26 of 26 March 2010, 19/19 of 23 March 2012, and 25/7 of 27 March 2014, 29/9 of 2 July 2015 and 31/3 of 23 March 2016, and Commission on Human Rights resolutions 2003/68 of 25 April 2003, 2004/87 of 21 April 2004 and 2005/80 of 21 April 2005, recalling General Assembly resolutions 57/219 of 18 December 2002, 58/187 of 22 December 2003, 59/191 of 20 December 2004, 60/158 of 16 December 2005, 61/171 of 19 December 2006, 62/159 of 18 December 2007, 63/185 of 18 December 2008, 64/168 of 18 December 2009, 65/221 of 21 December 2010, 66/171 of 19 December 2011, 68/178 of 18 December 2013, 70/148 of 17 December 2015 and 70/291 of 1 July 2016, and welcoming the efforts of all relevant stakeholders to implement them,

1. *Calls upon* States to ensure that any measure taken to counter terrorism and violent extremism conducive to terrorism complies with international law, in particular international human rights law, international refugee law and international humanitarian law;

2. *Expresses serious concern* at the violations of human rights and fundamental freedoms and of international refugee law and international humanitarian law in the context of countering terrorism and violent extremism conducive to terrorism;

* State not a member of the Human Rights Council.

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3. *Affirms* its unequivocal condemnation of all acts, methods and practices of terrorism and violent extremism conducive to terrorism, in all its forms and manifestations, wherever and by whomsoever committed, regardless of their motivation, and of the financing and other forms of direct support of terrorism, as unjustifiable, in the light of, in particular, their detrimental effects on the enjoyment of human rights and on democratic societies;

4. *Renews* its commitment to strengthen international cooperation to prevent, counter and combat terrorism and, in that regard, calls upon States and other relevant parties, as appropriate, to continue to implement the United Nations Global Counter-Terrorism Strategy and its four pillars, which reaffirm, inter alia, respect for human rights for all and the rule of law as being the fundamental basis of the fight against terrorism;

5. *Stresses* the responsibility of States to protect persons in their territory against such acts, in full compliance with their obligations under international law, and in particular international human rights law, international refugee law and international humanitarian law;

6. *Reaffirms* its respect for the sovereignty, territorial integrity, independence and unity of all States in accordance with the purposes and principles of the Charter of the United Nations, and stresses that all human rights are universal, indivisible, interdependent and interrelated, and that the international community must treat human rights globally in a fair and equal manner, on the same footing and with the same emphasis;

7. *Also reaffirms* the importance of ensuring that the protection of human rights and fundamental freedoms and respect for the rule of law as essential components of the work and strategies of the United Nations for supporting Member States in the context of the fight against terrorism and violent extremism conducive to terrorism;

8. *Deeply deplores* the suffering caused by terrorism to the victims and their families, in particular women and children, and, while stressing the need to promote and protect the rights of victims of terrorism, reaffirms its profound solidarity with them, and stresses the importance of providing them with proper support and assistance while taking into account, inter alia, when appropriate, considerations regarding remembrance, dignity, respect, justice and truth, in accordance with international law;

9. *Emphasizes* the need to ensure that victims of terrorism are treated with dignity and respect, stresses the need to promote international solidarity in support of the victims of terrorism, and recognizes the role that victims of terrorism can play, including in countering the appeal of terrorism;

10. *Calls upon* States, while countering terrorism, to ensure that any person who alleges that his or her human rights or fundamental freedoms have been violated has access to justice, due process and an effective remedy, and that victims of human rights violations receive adequate, effective and prompt reparations, which should include, as appropriate, restitution, compensation, rehabilitation and guarantees of non-recurrence;

11. *Urges* States, while countering terrorism, to respect and protect all human rights, including economic, social and cultural rights, bearing in mind that certain counter-terrorism measures may have an impact on the enjoyment of those rights;

12. *Stresses* the importance of developing and maintaining effective, fair, humane, transparent and accountable criminal justice systems, in accordance with applicable international law, as a fundamental basis of any strategy to counter terrorism and violent extremism conducive to terrorism;

13. *Strongly encourages* relevant United Nations agencies to take into account in their technical assistance to counter terrorism, whenever appropriate, the elements

necessary for building national capacity in order to strengthen criminal justice systems and the rule of law;

14. *Reaffirms* that terrorism and violent extremism cannot and should not be associated with any religion, nationality, civilization or ethnic group;

15. *Urges* States to ensure that measures taken to counter terrorism and violent extremism conducive to terrorism are not discriminatory, and not to resort to profiling based on stereotypes founded on ethnic, racial or religious grounds or any other ground of discrimination prohibited by international law, and regrets the fact that certain measures taken to counter terrorism and violent extremism conducive to terrorism have been implemented in a way that improperly targets specific groups;

16. *Welcomes* the work carried out by the special procedures of the Human Rights Council on the promotion and protection of human rights and fundamental freedoms while countering terrorism;

17. *Recognizes* the important role of education, respect for cultural diversity, preventing and combating discrimination, employment and inclusion in helping to prevent terrorism and violent extremism conducive to terrorism, and welcomes the engagement of relevant United Nations agencies with Member States to implement strategies to prevent violent extremism conducive to terrorism through education;

18. *Also recognizes* the importance of preventing violent extremism conducive to terrorism, and in this regard recalls General Assembly resolution 70/254 of 12 February 2016, in which the Assembly welcomed the initiative by the Secretary-General and took note of his Plan of Action to Prevent Violent Extremism, and resolution 70/291, in which it encouraged United Nations entities, in line with their mandates, to implement relevant recommendations of the Plan of Action, including by providing technical assistance to Member States upon their request, and invites Member States and regional and subregional organizations to consider developing national and regional plans of action to prevent violent extremism conducive to terrorism;

19. *Acknowledges* that the active participation of civil society can reinforce ongoing governmental efforts to protect human rights and fundamental freedoms while countering terrorism;

20. *Calls upon* States to ensure that measures to combat terrorism and preserve national security are in compliance with their obligations under international law, in particular under international human rights law, and do not hinder the work and safety of individuals, groups and organs of society engaged in promoting and defending human rights;

21. *Urges* States to ensure that gender equality and non-discrimination are taken into account when shaping, reviewing and implementing all counter-terrorism measures;

22. *Calls upon* States to highlight the important role of women in countering terrorism and violent extremism conducive to terrorism, and to consider, when appropriate, the impact of counter-terrorism strategies on women's human rights and women's organizations, and to seek consultations with women and women's organizations when developing strategies to counter terrorism and preventing violent extremism conducive to terrorism;

23. *Recognizes* the important role of religious leaders and institutions, local communities and community leaders in preventing and countering terrorism and violent extremism conducive to terrorism;

24. *Reiterates* that, given their potential status as victims of terrorism and of other violations of international law, all children alleged as, accused of or recognized as

having infringed the law, particularly those who are deprived of their liberty, as well as child victims and witnesses of crimes, should be treated in a manner consistent with his or her rights, dignity and needs, in accordance with applicable international law, in particular the obligations set out under the Convention on the Rights of the Child, and, bearing in mind relevant international standards on human rights in the administration of justice in this regard, urges Member States to take relevant measures to effectively reintegrate children formerly associated with armed groups, including terrorist groups;

25. *Urges* all States to respect and protect the right to privacy, as set out in article 12 of the Universal Declaration of Human Rights and article 17 of the International Covenant on Civil and Political Rights, including in the context of digital communication, and calls upon States, while countering terrorism and preventing violent extremism conducive to terrorism, to review their procedures, practices and legislation regarding the surveillance of communications, their interception and the collection of personal data, including mass surveillance, interception and collection, with a view to upholding the right to privacy by ensuring the full and effective implementation of all their obligations under international human rights law, and urges them to take measures to ensure that any interference with the right to privacy is regulated by law, which must be publicly accessible, clear, precise, comprehensive and non-discriminatory, and that such interference is not arbitrary or unlawful, bearing in mind what is reasonable to the pursuance of legitimate aims;

26. *Emphasizes* the key importance of the full respect for the right to freedom of opinion and expression in efforts to fight terrorism and violent extremism conducive to terrorism, and also in countering the propaganda of terrorist and extremist groups, bearing in mind the provisions set out in the International Convention on Civil and Political Rights;

27. *Urges* States to ensure that any measure taken or means employed to counter terrorism and violent extremism conducive to terrorism, including the use of remotely piloted aircraft, complies with their obligations under international law, including international human rights law and international humanitarian law;

28. *Also urges* States, while undertaking counter-terrorism activities, to respect their international obligations regarding humanitarian actors and to recognize the key role played by humanitarian organizations in areas where terrorist groups are active;

29. *Further urges* States to undertake prompt, independent and impartial fact-finding inquiries whenever there are plausible indications of breaches of their obligations under international law as a result of any measures taken or means employed to counter terrorism, and to ensure accountability for those responsible for violations that amount to crimes under national or international law;

30. *Notes with concern* measures that can undermine human rights and the rule of law, such as the detention of persons suspected of acts of terrorism in the absence of a legal basis for detention and due process guarantees, the unlawful deprivation of the right to life, and other fundamental freedoms, such as freedom of peaceful assembly and association, the deprivation of liberty that amounts to placing a detained person outside the protection of the law, the trial of suspects without fundamental judicial guarantees, the illegal deprivation of liberty and transfer of individuals suspected of terrorist activities, the return of suspects to countries without individual assessment of the risk of there being substantial grounds for believing that they would be in danger of subjection to torture, and limitations to effective scrutiny of counter-terrorism measures;

31. *Stresses* that all measures used in the fight against terrorism and violent extremism conducive to terrorism, including the profiling of individuals and the use of diplomatic assurances, memorandums of understanding and other transfer agreements or arrangements, must be in compliance with the obligations of States under international law,

including international human rights law, international refugee law and international humanitarian law;

32. *Urges* States, while countering terrorism and preventing violent extremism conducive to terrorism, to respect the rights to be equal before the courts and tribunals and to a fair trial, as provided for by international law, including international human rights law, such as article 14 of the International Covenant on Civil and Political Rights and, as applicable international humanitarian law and international refugee law;

33. *Also urges* States to take measures to ensure that counter-terrorism laws and implementing measures are consistent with and are applied in a manner that fully respects the rights enshrined in articles 10 and 11 of the Universal Declaration of Human Rights and further codified in articles 14 and 15 of the International Covenant on Civil and Political Rights, in particular to ensure respect for the principle of certainty of the law by clear and precise provisions;

34. *Reiterates its concern* with regard to measures that can undermine human rights and the rule of law, and urges all States to take all steps necessary to ensure that persons deprived of their liberty, regardless of the place of arrest or detention, enjoy the guarantees to which they are entitled under international law, including review of their detention and other fundamental judicial guarantees;

35. *Recalls* General Assembly resolution 60/288 of 8 September 2006, by which the Assembly adopted the United Nations Global Counter-Terrorism Strategy, and welcomes Assembly resolution 70/291 on the review of the Strategy, in which it called upon Member States and the United Nations entities involved in supporting counter-terrorism efforts to continue to facilitate the promotion and protection of human rights and fundamental freedoms, as well as due process and the rule of law, while countering terrorism;

36. *Encourages* Member States, United Nations entities, regional and subregional organizations and relevant actors to consider instituting mechanisms to involve youth in the promotion of a culture of peace, justice and human development, and ethnic, national and religious tolerance by establishing and encouraging, as appropriate, education and public awareness programmes involving all sectors of society;

37. *Takes note* of the report of the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism;[1]

38. *Welcomes* the report of the United Nations High Commissioner for Human Rights on best practices and lessons learned on how protecting and promoting human rights contribute to preventing and countering violent extremism;[2]

39. *Requests* the Special Rapporteur, in accordance with his mandate, to continue to gather, request, receive and exchange information on alleged violations of human rights and fundamental freedoms while countering terrorism, and to report regularly to the Human Rights Council;

40. *Requests* all States to cooperate fully with the Special Rapporteur in the performance of the tasks and duties mandated, including by reacting promptly to urgent appeals and providing the information requested, and to give serious consideration to responding favourably to requests by the Special Rapporteur to visit their countries;

[1] A/HRC/31/65.
[2] A/HRC/33/29.

41. *Encourages* United Nations bodies, agencies, funds and programmes involved in supporting counter-terrorism efforts to continue to facilitate the promotion and protection of human rights and fundamental freedoms, as well as due process and the rule of law, while countering terrorism;

42. *Requests* the High Commissioner and the Special Rapporteur to contribute further, appropriately, to the ongoing discussion on the efforts of States Members of the United Nations to put in place adequate human rights guarantees to ensure fair and clear procedures, in particular with regard to placing individuals and entities on, and removing them from, terrorism-related sanctions lists;

43. *Recalls* that the General Assembly, in its resolution 70/148, recognized the need to continue to ensure that fair and clear procedures under the United Nations terrorism-related sanctions regime are strengthened in order to enhance their efficiency and transparency, and welcomed and encouraged the ongoing efforts of the Security Council in support of those objectives, including by supporting the enhanced role of the Office of the Ombudsperson and continuing to review all the names of individuals and entities in the regime, while emphasizing the importance of sanctions in countering terrorism;

44. *Stresses* the importance that relevant United Nations bodies and entities and international, regional and subregional organizations, in particular those that are participating in the Counter-Terrorism Implementation Task Force, that provide technical assistance relating to the prevention and suppression of terrorism to consenting States, include, as appropriate and where consistent with their mandates, respect of international human rights law and, as applicable, international humanitarian law and international refugee law, as well as the rule of law, as an important element of the technical assistance that they offer to States in the area of counter-terrorism, including by drawing on the advice of, and otherwise ensuring ongoing dialogue with, the special procedures of the Human Rights Council within their mandates and the Office of the High Commissioner and relevant stakeholders;

45. *Requests* the High Commissioner and the Special Rapporteur to present their reports, bearing in mind the content of the present resolution, to the Human Rights Council under agenda item 3, in conformity with its annual programme of work.

United Nations A/HRC/33/L.28

General Assembly

Distr.: Limited
26 September 2016

Original: English

Human Rights Council
Thirty-third session
Agenda item 3
Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

Albania, Armenia,* Austria,* Belgium, Bosnia and Herzegovina,* Botswana, Bulgaria,* Chile,* Cyprus,* Czechia,* Denmark,* Finland,* France, Georgia, Germany, Greece,* Haiti,* Honduras,* Iceland,* Indonesia, Ireland,* Israel,* Italy,* Liechtenstein,* Luxembourg,* Malta,* Mexico, Montenegro,* Netherlands, Panama, Peru,* Poland,* Portugal, Republic of Moldova,* Romania,* Slovakia,* Slovenia, Spain,* Sweden,* Switzerland, the former Yugoslav Republic of Macedonia, Ukraine,* United States of America:* draft resolution

33/... Equal participation in political and public affairs

The Human Rights Council,

Guided by the Charter of the United Nations and the Universal Declaration of Human Rights,

Recalling all relevant international human rights treaties, in particular the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights,

Recalling also all relevant General Assembly and Human Rights Council resolutions on participation in political and public affairs, in particular Council resolutions 24/8 of 26 September 2013 on equal political participation, 27/24 of 3 October 2014 and 30/9 of 1 October 2015 on equal participation in political and public affairs,

Reaffirming that every citizen shall have the right and the opportunity, without any of the distinctions stipulated in the International Covenant on Civil and Political Rights and without unreasonable restrictions, to take part in the conduct of public affairs, directly or through freely chosen representatives, and to have access, on general terms of equality, to public service in his or her country, as well as to vote and to be elected at genuine periodic elections which shall be by universal and equal suffrage and held by secret ballot,

* State not a member of the Human Rights Council.

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guaranteeing the free expression of the will of the electors, and reaffirming also that the will of the people shall be the basis of the authority of government,

Reaffirming also that no distinctions are permitted among citizens in the enjoyment of the right to participate in the conduct of public affairs on the grounds of race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status, or on the basis of disability,

Emphasizing the critical importance of equal and effective participation in political and public affairs for democracy, the rule of law, social inclusion, economic development and advancing gender equality, and for the realization of all human rights and fundamental freedoms,

Reaffirming that the active participation of women, on equal terms with men, at all levels of decision-making, is essential to the achievement of equality, inclusive economic growth and sustainable development, the rule of law, peace and democracy,

Recognizing that the rights of everyone to freedom of expression, to peaceful assembly, to freedom of association, to education, and access to information, as well as inclusive economic empowerment, are among the essential conditions for equal participation in political and public affairs and must be promoted and protected,

Welcoming the adoption of the 2030 Agenda for Sustainable Development,[1] which recognizes equal participation as a vital principle for achieving sustainable development, eradicating poverty and the realization of all human rights,

Recognizing the need for further work on the full and effective implementation of the right to participate in public affairs in the context of article 25 of the International Covenant on Civil and Political Rights, including by identifying possible gaps in existing guidance on the implementation of this right,

Welcoming the work of the Office of the United Nations High Commissioner for Human Rights, the special procedures, the treaty bodies and other relevant human rights mechanisms on identifying and addressing obstacles to the full implementation of the right to participate in public affairs,

1. *Expresses concern* that, despite progress made towards the full implementation of the right to participate in public affairs worldwide, many people continue to face obstacles, such as discrimination, including multiple and intersecting forms of discrimination, in the enjoyment of their right to participate in the public affairs of their countries as well as in the enjoyment of other human rights that enable it;

2. *Recognizes* that women, persons belonging to marginalized groups or minorities, and persons in vulnerable situations are among those who are most affected by discrimination in participation in political and public affairs;

3. *Reaffirms* the obligation of States to take all appropriate measures to ensure that every citizen has an effective right and opportunity to equal participation in public affairs;

4. *Notes* the emergence of new forms of participation and grass-roots engagement, in particular through new information and communications technology and social media, and the challenges to established forms of political participation in some States;

[1] General Assembly resolution 70/1.

5. *Welcomes* the expert workshop on existing guidance on the implementation of the right to participate in public affairs, and on challenges, gaps, opportunities, new developments, trends and innovations with respect to full, effective and equal participation in political and public affairs, organized by the Office of the United Nations High Commissioner for Human Rights, held on 18 May 2016, and the summary report thereon ,[2] and the efforts and initiatives at all levels aimed at facilitating, in law and in practice, full and effective participation in political and public affairs;

6. *Urges* all States to ensure the full, effective and equal participation of all citizens in political and public affairs, including by, inter alia:

(*a*) Complying fully with their international human rights obligations and commitments and working to implement accepted universal periodic review recommendations with regard to participation in political and public affairs, including by reflecting them in their national legislative framework;

(*b*) Considering signing and ratifying or acceding to the International Covenant on Civil and Political Rights and other core international human rights treaties;

(*c*) Taking all necessary measures to eliminate laws, regulations and practices that discriminate, directly or indirectly, against citizens in their right to participate in public affairs on the grounds of race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status, or on the basis of disability;

(*d*) Taking proactive measures to eliminate all barriers in law and in practice that prevent or hinder citizens, in particular women, persons belonging to marginalized groups or minorities, persons with disabilities and persons in vulnerable situations, from participating fully and effectively in political and public affairs, including, inter alia, reviewing and repealing measures that unreasonably restrict the right to participate in public affairs, and considering adopting, on the basis of reliable data on participation, temporary special measures, including legislative acts, aimed at increasing the participation of underrepresented groups in all aspects of political and public life;

(*e*) Taking appropriate measures to encourage publicly and promote the importance of participation of all citizens in political and public affairs, in particular women, persons belonging to marginalized groups or to minorities, and persons in vulnerable situations, including by engaging them in designing, evaluating and reviewing policies and legislation on participation in political and public affairs;

(*f*) Developing and disseminating accessible information and educational materials on the political process and relevant international human rights law provisions to facilitate equal participation in political and public affairs;

(*g*) Taking steps to promote and protect the voting rights of all those entitled to vote without any discrimination, including facilitation of voter registration and participation and the provision of electoral information and voting papers in a range of accessible formats and languages, as appropriate;

(*h*) Exploring new forms of participation and opportunities brought about by new information and communications technology and social media as a means to improve and widen, online and offline, the exercise of the right to participate in public affairs, and other rights directly supporting and enabling it, and sharing examples of good practices in the use and wide accessibility of information and communications technology tools for the enhancement of equal participation in political and public affairs;

[2] A/HRC/33/25

(*i*) Ensuring the rights of everyone to freedom of expression, peaceful assembly and freedom of association, education and development, and facilitating equal and effective access to information, media and communications technology in order to enable pluralistic debates fostering inclusive and effective participation in political and public affairs;

(*j*) Creating a safe and enabling environment for human rights defenders and civil society organizations, which together with other actors play a key role in the effective promotion and protection of all human rights;

(*k*) Providing full and effective access to justice and redress mechanisms to those citizens whose right to participate in public affairs has been violated, including by developing effective, independent and pluralistic national human rights institutions, in accordance with the principles relating to the status of national institutions for the promotion and protection of human rights (Paris Principles);

7. *Calls upon* States to implement the 2030 Agenda for Sustainable Development, including Sustainable Development Goals 5 and 16, with the participation of all stakeholders;

8. *Requests* the Office of the High Commissioner to prepare concise and action-oriented guidelines as a set of orientations for States on the effective implementation of the right to participate in public affairs, as set out in article 25 of the International Covenant on Civil and Political Rights and as further elaborated on in other relevant provisions under international human rights law, and to present the draft guidelines to the Human Rights Council at its thirty-ninth session;

9. *Also requests* the Office of the High Commissioner to facilitate open, transparent and inclusive elaboration of the guidelines through consultations with States and with the participation of relevant United Nations agencies, funds and programmes, intergovernmental organizations, the Human Rights Committee and other treaty bodies, special procedures, regional human rights mechanisms, national human rights institutions, civil society organizations, academia and other relevant stakeholders, including through informal multi-stakeholder consultations at the regional level;

10. *Invites* the Office of the High Commissioner to consider examining in the draft guidelines, inter alia:

(*a*) Basic principles underpinning the effective implementation of the right to participate in public affairs;

(*b*) The effective implementation of all dimensions of the right to participate in public affairs for all rights holders, without discrimination or distinction of any kind, including at the national level, in all phases of the electoral process, between elections, outside the political process in the conduct of public affairs, and in access to public service, and on the participation of citizens, individually and in association with others, at the supranational level, including within international organizations;

(c) Cooperation and assistance aimed at the effective implementation of the right to participate in public affairs, including through electoral assistance and observation;

(*d*) Model standards advancing the effective implementation of the right to participate in public affairs based on examples of best practices;

(*e*) Emerging and new forms of participation, in particular through new information and communications technology and social media;

11. *Requests* the Office of the High Commissioner to provide an oral update to the Human Rights Council at its thirty-sixth session, seeking the views of States on the content and the preparation of the guidelines, including proposals on how effective

implementation of the right to participate in public affairs could be promoted further through the United Nations system;

12. *Decides* to remain seized of the matter.

United Nations A/HRC/33/L.29

General Assembly

Distr.: Limited
27 September 2016

Original: English

Human Rights Council
Thirty-third session
Agenda item 3
Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

China, Venezuela (Bolivarian Republic of):* draft resolution

33/... The right to development

The Human Rights Council,

Recalling the Charter of the United Nations and the core human rights instruments,

Reaffirming the Declaration on the Right to Development, adopted by the General Assembly in its resolution 41/128 of 4 December 1986,

Reiterating the Vienna Declaration and Programme of Action, which reaffirms the right to development as a universal and inalienable right and an integral part of every human right,

Reaffirming Human Rights Council resolutions 4/4 of 30 March 2007 and 9/3 of 17 September 2008, and recalling all Council and General Assembly resolutions on the right to development, the most recent being Council resolution 30/28 of 2 October 2015 and Assembly resolution 70/155 of 17 December 2016,

Recalling all Commission on Human Rights resolutions on the right to development, including resolutions 1998/72 of 22 April 1998 and 2004/7 of 13 April 2004, in support of the implementation of the right to development,

Welcoming the seventeenth Summit Conference of Heads of State or Government of Non-Aligned Countries, held in Margarita, Bolivarian Republic of Venezuela, on 17 and 18 September 2016, and recalling previous summits and conferences at which the States members of the Movement of Non-Aligned Countries stressed the need to operationalize the right to development as a priority, including through the elaboration of a convention on the right to development by the relevant machinery, taking into account the recommendations of relevant initiatives,

* On behalf of the States Members of the United Nations that are members of the Movement of Non-Aligned Countries.

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Please recycle

Emphasizing the urgent need to make the right to development a reality for everyone,

Emphasizing also that all human rights and fundamental freedoms, including the right to development, can only be enjoyed in an inclusive and collaborative framework, at the international, regional and national levels, and in this regard underlining the importance of engaging the United Nations system, including United Nations specialized agencies, funds and programmes, within their respective mandates, relevant international organizations, including financial and trade organizations, and relevant stakeholders, including civil society organizations, development practitioners, human rights experts and the public at all levels, in discussions on the right to development,

Stressing that the responsibility for managing worldwide economic and social issues and threats to international peace and security must be shared among the nations of the world and should be exercised multilaterally, and that, in this regard, the central role must be played by the United Nations as the most universal and representative organization in the world,

Welcoming the adoption of the 2030 Agenda for Sustainable Development,[1] and emphasizing that the 2030 Agenda is informed by the Declaration on the Right to Development and that the right to development provides a vital enabling environment for the full realization of the Sustainable Development Goals,

Recognizing that achieving the internationally agreed development goals, including the unmet Millennium Development Goals and the Sustainable Development Goals, requires effective policy coherence and coordination,

Recognizing also that hunger and extreme poverty, in all its forms and dimensions, are the greatest global challenges and require the collective commitment of the international community for their eradication, and therefore calling upon the international community to contribute to the achievement of that goal, in accordance with the Sustainable Development Goals,

Emphasizing that all human rights and fundamental freedoms, including the right to development, are universal, indivisible, interdependent and interrelated,

Underlining that the successful implementation of the Sustainable Development Goals will require the strengthening of a new, more equitable and sustainable national and international order, as well as the promotion and protection of all human rights and fundamental freedoms,

Taking note of the commitment declared by a number of United Nations specialized agencies, funds and programmes and other international organizations to make the right to development a reality for all, and in this regard urging all relevant bodies of the United Nations system and other international organizations to mainstream the right to development into their objectives, policies, programmes and operational activities, as well as into development and development-related processes, including the follow-up to the Fourth United Nations Conference on the Least Developed Countries,

Stressing the primary responsibility of States for the creation of national and international conditions favourable to the realization of the right to development,

Recognizing that Member States should cooperate with each other in ensuring development and eliminating lasting obstacles to development, that the international community should promote effective international cooperation, in particular global

[1] General Assembly resolution 70/1.

partnerships for development, for the realization of the right to development and the elimination of obstacles to development, and that lasting progress towards the implementation of the right to development requires effective development policies at the national level, as well as equitable economic relations and a favourable economic environment at the international level,

Encouraging all Member States to engage constructively in the discussions for the full implementation of the Declaration on the Right to Development with a view to overcoming the existing political impasse within the Working Group on the Right to Development,

Affirming that the thirtieth anniversary of the Declaration on the Right to Development presents a unique opportunity for the international community to demonstrate and reiterate its unequivocal commitment to the right to development, recognizing the high profile it deserves, and redoubling its efforts to implement this right,

Stressing that, in General Assembly resolution 48/141 of 20 December 1993, the Assembly decided that the responsibility of the United Nations High Commissioner for Human Rights shall be, among others, to promote and protect the realization of the right to development and to enhance support from relevant bodies of the United Nations system for that purpose,

Recognizing the need for independent perspectives and expert advice to strengthen the work of the Working Group on the Right to Development and to support the efforts of Member States to fully realize the right to development, including in the context of the implementation of the Sustainable Development Goals,

Reaffirming Human Rights Council resolutions 5/1, on institution-building of the Council, and 5/2, on the Code of Conduct for special procedures mandate holders of the Council, of 18 June 2007, and stressing that the mandate holder shall discharge the duties of the mandate in accordance with those resolutions and the annexes thereto,

1. *Takes note* of the consolidated report of the Secretary-General and the United Nations High Commissioner for Human Rights on the right to development;[2]

2. *Requests* the High Commissioner to continue to submit to the Human Rights Council an annual report on the activities of the Office of the High Commissioner, including on inter-agency coordination within the United Nations system that have direct relevance to the realization of the right to development, and to provide an analysis of its implementation, taking into account the existing challenges and making recommendations on how to overcome them, in its next annual report;

3. *Urges* the High Commissioner to pursue his efforts, in fulfilment of his mandated responsibility, to enhance support for the promotion and protection of the realization of the right to development, taking as reference the Declaration on the Right to Development, all resolutions of the General Assembly, the Commission on Human Rights and the Human Rights Council on the right to development, and agreed conclusions and recommendations of the Working Group;

4. *Requests* the Office of the High Commissioner, in the implementation of the Declaration on the Right to Development, to take sufficient measures to ensure balanced and visible allocation of resources and due attention to ensure the visibility of the right to development by identifying and implementing tangible projects dedicated to the right to development, and to provide regular updates to the Council in this regard;

[2] A/HRC/33/31.

5. *Recognizes* the need for renewed efforts towards intensifying deliberations in the Working Group to fulfil, at the earliest, its mandate as established by the Commission on Human Rights in its resolution 1998/72 and the Human Rights Council in its resolution 4/4;

6. *Acknowledges* the need to strive for greater acceptance, operationalization and realization of the right to development at the international level while urging all States to undertake at the national level the necessary policy formulation and to institute the measures required for the implementation of the right to development as an integral part of all human rights and fundamental freedoms;

7. *Welcomes* the celebrations held in 2016 to commemorate the thirtieth anniversary of the Declaration on the Right to Development, including the convening of the annual high-level panel discussion on human rights mainstreaming, with the theme "The 2030 Agenda for Sustainable Development and human rights, with an emphasis on the right to development" during the thirty-first session of the Human Rights Council, the panel discussion on the promotion and protection of the right to development during the thirty-second session of the Council and the high-level segment of the General Assembly to commemorate the thirtieth anniversary of the Declaration on the Right to Development, held at the seventy-first session of the Assembly, which provided a unique opportunity to Member States to demonstrate and reiterate their political commitment, accord the right to development the great attention it deserves and to redouble their efforts towards the realization of the right to development;

8. *Also welcomes* the report of the Chair-Rapporteur of the Working Group on the Right to Development on the seventeenth session of the Working Group;

9. *Further welcomes* the re-election of the Chair-Rapporteur of the Working Group and the skill with which he led the discussions at the seventeenth session;

10. *Notes* the presentation to the Working Group at its seventeenth session of the set of standards for the implementation of the right to development prepared by the Chair-Rapporteur of the Working Group, which is a useful basis for further deliberations on the implementation and realization of the right to development;

11. *Requests* the Working Group to continue to consider criteria and operational subcriteria with a view to finalizing the text as expeditiously as possible, preferably no later than its nineteenth session;

12. *Requests* the High Commissioner to facilitate the participation of experts in the eighteenth session of the Working Group, to provide advice with a view to contributing to discussions on the implementation and realization of the right to development, including the implications of the 2030 Agenda for Sustainable Development, and looks forward to the possible engagement of the Working Group with the high-level political forum;

13. *Decides*:

(*a*) To continue to act to ensure that its agenda promotes and advances sustainable development and the achievement of the remaining Millennium Development Goals and the Sustainable Development Goals and, in this regard, lead to raising the right to development, as set out in paragraphs 5 and 10 of the Vienna Declaration and Programme of Action, to the same level and on a par with all other human rights and fundamental freedoms;

(*b*) To endorse the recommendations of the Working Group adopted at its seventeenth session;

(*c*) That the Working Group, taking into account Human Rights Council resolution 9/3, shall finalize consideration of the criteria and operational subcriteria,

preferably no later than the nineteenth session of the Working Group, in relation to the elaboration of a comprehensive and coherent set of standards for the implementation of the right to development, and shall also take appropriate steps to ensure respect for the practical application of these standards, which could take various forms, including guidelines on the implementation of the right to development, and evolve into a basis for consideration of an international legal standard of a binding nature, through a collaborative process of engagement;

14. *Also decides* to appoint, for a period of three years, a Special Rapporteur on the right to development, whose mandate will include:

(*a*) To contribute to the work of the Working Group with a view to supporting the accomplishment of its overall mandate, taking into account, inter alia, the deliberations and recommendations of the Working Group while avoiding any duplication;

(*b*) To contribute to the promotion, protection and fulfilment of the right to development in the context of the coherent and integrated implementation of the 2030 Agenda for Sustainable Development and other internationally agreed outcomes of 2015, including the Sendai Framework for Disaster Risk Reduction,[1] the Addis Ababa Action Agenda of the Third International Conference on Financing for Development[2] and the Paris Agreement on Climate Change, and to this effect, participate in relevant international meetings and conferences;

(*c*) To engage and support efforts to mainstream the right to development among various United Nations bodies, development agencies, international development, financial and trade institutions, and to submit proposals aimed at strengthening the revitalized global partnership for sustainable development from the perspective of the right to development;

(*d*) To submit any specific study requested by the Working Group on the Right to Development or by the Human Rights Council in accordance with its mandate;

(*e*) To submit an annual report to the Human Rights Council and to the General Assembly covering all activities relating to the mandate, with a view to maximizing the benefits of the reporting process;

15. *Invites* all Governments to cooperate fully with the Special Rapporteur in the performance of the tasks and duties mandated and to give due consideration to the recommendations of the mandate holder;

16. *Requests* the Secretary-General and the High Commissioner to provide the Special Rapporteur with the administrative, logistical and staff support necessary for the implementation of the mandate under the present resolution;

17. *Encourages* relevant bodies of the United Nations system, within their respective mandates, including United Nations specialized agencies, funds and programmes, relevant international organizations, including the World Trade Organization and relevant stakeholders, including civil society organizations, to give due consideration to the right to development in the implementation of the 2030 Agenda for Sustainable Development, and to contribute further to the work of the Working Group and to cooperate with the High Commissioner and the Special Rapporteur in the fulfilment of their mandates with regard to the implementation of the right to development;

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[1] General Assembly resolution 69/283, annex II.

[2] General Assembly resolution 69/313, annex.

18. *Decides* to review the progress of the implementation of the present resolution, as a matter of priority, at its future sessions.

United Nations A/HRC/33/L.30

General Assembly

Distr.: Limited
27 September 2016

Original: English

Human Rights Council
Thirty-third session
Agenda item 4
Human rights situations that require the Council's attention

Albania, Andorra,* Australia,* Canada,* Croatia,* Czechia,* Estonia,* Finland,* France, Germany, Iceland,* Israel,* Italy,* Japan,* Jordan,* Kuwait,* Liechtenstein,* Luxembourg,* Malta,* Monaco,* Montenegro,* Morocco, Netherlands, Poland,* Portugal, Qatar, Romania,* Saudi Arabia, Slovakia,* Slovenia, Spain,* Sweden,* Turkey,* Ukraine,* United Kingdom of Great Britain and Northern Ireland, United States of America:* draft resolution

33/... The human rights situation in the Syrian Arab Republic

The Human Rights Council,

Guided by the Charter of the United Nations,

Reaffirming all previous Human Rights Council resolutions on the Syrian Arab Republic,

Welcoming the adoption by the Security Council of its resolution 2268 (2016) on 26 February 2016,

Reaffirming its strong commitment to the full respect of sovereignty, independence, unity and territorial integrity of the Syrian Arab Republic,

Demanding that the Syrian authorities meet their responsibility to protect the Syrian population,

Condemning the grave deterioration of the human rights situation and the indiscriminate or deliberate targeting of civilians as such, in violation of international humanitarian law, and acts of violence that foment sectarian tensions,

Recalling the statements made by the Secretary-General and the United Nations High Commissioner for Human Rights that crimes against humanity and war crimes are likely to have been committed in the Syrian Arab Republic,

Recalling also that, amid expressions of popular discontent over restrictions on the enjoyment of civil, political, economic, social and cultural rights, civilian protests erupted in Dar'a in March 2011, and noting that the excessive and violent suppression of civilian

* State not a member of the Human Rights Council.

protests by the Syrian authorities, which later escalated to the direct shelling of civilians, fuelled the escalation of armed violence and extremist groups,

Expressing its deepest concern about the findings of the Independent International Commission of Inquiry on the Syrian Arab Republic,

Deploring the lack of cooperation by the Syrian authorities with the Commission of Inquiry,

Expressing full support for the efforts of the Special Envoy of the Secretary-General for Syria, with a view to full implementation of the Syrian political process that establishes credible, inclusive and non-sectarian governance, in accordance with the Geneva communique and consistent with Security Council resolutions 2254 (2015) of 18 December 2015 and 2258 (2015) of 22 December 2015, urging the Special Envoy to continue pushing the parties to negotiate a political transition, demanding that all parties to the cessation of hostilities in the Syrian Arab Republic fulfil their commitments, and urging all Member States, especially the members of the International Syria Support Group, to use their influence with the parties to the cessation of hostilities to ensure fulfilment of those commitments and the full implementation of those resolutions, to support efforts to create conditions for a durable and lasting ceasefire, which is essential to achieving a political solution to the conflict in the Syrian Arab Republic and to bringing to an end the systematic, widespread and gross violations and abuses of human rights and violations of international humanitarian law,

Acknowledging the ongoing efforts by human rights defenders active in the Syrian Arab Republic to document violations and abuses of international human rights law and violations of international humanitarian law, despite grave risks,

1. *Expresses its deep concern* at the serious continued violations of the cessation of hostilities in the Syrian Arab Republic, demands that all parties to the cessation of hostilities in the Syrian Arab Republic redouble their efforts to fulfil their commitments, and urges all Member States, especially the members of the International Syria Support Group, to use their influence with the parties to the cessation of hostilities to ensure fulfilment of those commitments, to support efforts to create conditions for a durable and lasting ceasefire, which is essential to achieving a political solution to the conflict in the Syrian Arab Republic and to bringing to an end the systematic, widespread and gross violations and abuses of human rights and violations of humanitarian law;

2. *Strongly condemns* the airstrikes on 19 September 2016 on a United Nations/Syrian Arab Red Crescent aid convoy in rural Aleppo, which may constitute a serious violation of international humanitarian law, supports the call by the United Nations for an immediate, impartial and independent investigation into this incident, and calls upon all parties to the conflict to respect all humanitarian organizations, including personnel, facilities and other relief assets;

3. *Welcomes* the work of the Independent International Commission of Inquiry on the Syrian Arab Republic to investigate all alleged violations and abuses of international human rights law since March 2011 in the Syrian Arab Republic, to establish the facts and circumstances and to support efforts to ensure that perpetrators of abuses and violations, including those who may be responsible for crimes against humanity, are held accountable, and notes the importance of the work of the Commission of Inquiry and the information it has collected in support of future accountability efforts, in particular the information on those who have allegedly violated international law;

4. *Also welcomes* the statement of the International Syria Support Group of 17 May 2016 in Vienna, including its request for the Special Envoy of the Secretary-General for Syria to facilitate agreements between the Syrian parties for the release of detainees and

its call for any party holding detainees to protect the health and safety of those in their custody;

5. *Demands* that the Syrian authorities cooperate fully with the Human Rights Council and the Commission of Inquiry by granting it immediate, full and unfettered access throughout the Syrian Arab Republic;

6. *Strongly condemns* the continued systematic, widespread and gross violations and abuses of human rights and all violations of international humanitarian law by the Syrian authorities and affiliated militias, including foreign terrorist fighters and those foreign organizations fighting on behalf of the Syrian authorities, in particular Hizbullah, and expresses deep concern that their involvement further exacerbates the deteriorating situation in the Syrian Arab Republic, including the human rights and humanitarian situation, which has a serious negative impact on the region;

7. *Also strongly condemns* the terrorist acts and violence committed against civilians by the so-called Islamic State in Iraq and the Levant (Daesh), al-Nusrah Front or other terrorist organizations, designated by the Security Council, and their continued gross, systematic and widespread abuses of international human rights law and violations of international humanitarian law, reaffirms that terrorism, including the actions of the so-called Islamic State in Iraq and the Levant (Daesh), cannot and should not be associated with any religion, nationality or civilization, and stresses the importance of the full implementation of Security Council resolution 2170 (2014) of 15 August 2014;

8. *Further strongly condemns* all attacks against the Syrian moderate opposition, and calls for their immediate cessation, given that such attacks benefit the so-called Islamic State in Iraq and the Levant (Daesh) and other terrorist groups, such as al-Nusrah Front, and contribute to a further deterioration of the humanitarian situation;

9. *Condemns in the strongest terms* the gross and systematic abuse of women's and children's rights by the so-called Islamic State in Iraq and the Levant (Daesh), in particular the enslavement and sexual abuse of women and girls, enforced disappearances and the forced recruitment and abduction of children;

10. *Condemns* all violations and abuses of international human rights law and all violations of international humanitarian law, including against women and children, and persons with disabilities, and urges all parties to the conflict not to commit indiscriminate attacks against the civilian population and civilian objects, including against medical facilities, personnel and transport and schools as such, to comply with their obligations under international humanitarian law and to respect international human rights law;

11. *Expresses its profound concern* about the findings of the report of the Commission of Inquiry regarding the tragic and relentless level of indiscriminate and disproportionate attacks on civilians in the Syrian Arab Republic, including on medical facilities, personnel and transport, blocked humanitarian convoys, enforced disappearances, summary executions and other violations and abuses;

12. *Also expresses its profound concern* at the findings of the Commission of Inquiry that violence has reached unprecedented levels in Aleppo and other parts of the Syrian Arab Republic and that civilians have suffered profoundly from aerial and shelling bombardments, primarily by regime forces and its supporters;

13. *Strongly condemns* the widespread practice of enforced disappearance, arbitrary detention and the use of sexual violence, torture and ill-treatment, especially in detention centres run by the Syrian authorities, including those acts referenced in the reports of the Commission of Inquiry, as well as those depicted in the evidence presented by "Caesar" in January 2014, and notes that such acts may constitute violations or abuses of international human rights law or violations of international humanitarian law;

14. *Condemns* the denial of medical services in all prisons and detention facilities;

15. *Recognizes* the permanent damage that torture and ill-treatment causes to its victims and their families;

16. *Calls for* the appropriate international monitoring bodies to be granted immediate access without undue restriction to all detainees and for the Syrian authorities to publish a list of all detention facilities;

17. *Demands* the immediate release of all persons arbitrarily detained, including women, children, human rights defenders, humanitarian aid providers, medical personnel and journalists;

18. *Recalls* the decision of the Security Council that the Syrian Arab Republic shall not use, develop, produce, otherwise acquire, stockpile or retain chemical weapons, or, transfer, directly or indirectly, chemical weapons to other States or non-State actors[1] and, in keeping with the decision of the Council, expresses its strong conviction that those individuals responsible for the use of chemical weapons in the Syrian Arab Republic should be held accountable;

19. *Strongly condemns* any use of any toxic chemical, such as chlorine, as a weapon in the Syrian Arab Republic, noting with outrage that civilians continue to be killed and injured by toxic chemicals used as weapons in the Syrian Arab Republic;

20. *Welcomes* the report of the Organization for the Prohibition of Chemical Weapons-United Nations Joint Investigative Mechanism of 24 August 2016,[2] and notes with deep concern its findings that the Syrian authorities were responsible for the use of chemical weapons (chlorine) in at least two attacks in the Syrian Arab Republic (Talmenes in 2014 and Sarmin in 2015) and that the so-called Islamic State in Iraq and the Levant (Daesh) was responsible for one mustard gas attack in the Syrian Arab Republic (Marea in 2015);

21. *Demands* that the Syrian Arab Republic immediately cease the use of chemical weapons and adhere fully to its international obligations, including the requirement that it declare in full its chemical weapons programme, with special emphasis on the need for the Syrian Arab Republic to urgently resolve the verified gaps, inconsistencies and discrepancies pertaining to its declaration in respect of the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction and to eliminate its chemical weapons programme in its entirety;

22. *Calls upon* the Syrian authorities and all other parties to the conflict to ensure the effective implementation of Security Council resolutions 2139 (2014) of 22 February 2014 and 2254 (2015), and in particular to end the arbitrary detention and torture of civilians in the Syrian Arab Republic, notably in prisons and detention facilities, as well as kidnappings, abductions and forced disappearances, as demanded by the Council in its resolution 2139 (2014);

23. *Strongly condemns* all use of starvation of civilians as a method of combat, and all besiegement directed against civilian populations;

24. *Condemns* the Syrian authorities' indiscriminate use of heavy weapons and aerial bombardments, including cluster munitions, incendiary weapons, ballistic missiles

[1] See Security Council resolution 2235 (2015).

[2] S/2016/738.

and barrel bombs, and calls for an immediate end to all attacks against civilians and civilian infrastructure, including medical facilities;

25. *Condemns in the strongest terms* the increasing number of mass casualty incidents, including any that may constitute a war crime, taking place in the Syrian Arab Republic, and requests the Commission of Inquiry to continue to investigate all such acts;

26. *Stresses* the need to promote accountability for those responsible for the unlawful killings of civilians, and also stresses the importance of holding to account those responsible for all violations of international humanitarian law and violations and abuses of international human rights law;

27. *Strongly condemns* violence against all persons based on their religious or ethnic affiliation;

28. *Demands* that all parties take all appropriate steps to protect civilians, including members of ethnic, religious and confessional communities, and stresses that, in this regard, the primary responsibility to protect the Syrian population lies with the Syrian authorities;

29. *Strongly condemns* the damage and destruction of the cultural heritage of the Syrian Arab Republic, and the organized looting and trafficking of its cultural property, as outlined by the Security Council in its resolution 2199 (2015) of 12 February 2015;

30. *Also strongly condemns* the reported forced displacement of the population in the Syrian Arab Republic, most recently from Dar'a, in August 2016, and the alarming impact on the demography of the country, and calls upon all parties concerned to cease immediately all activities related to these actions, including any activities that may amount to crimes against humanity;

31. *Calls upon* the international community to support the leadership and full and meaningful participation of women in all efforts, including decision-making, with the aim of finding a political solution to the conflict in the Syrian Arab Republic, as envisaged by the Security Council in its resolutions 1325 (2000) of 31 October 2000, 2122 (2013) of 18 October 2013 and 2254 (2015), and welcomes the participation of the Women's Advisory Board and civil society in the United Nations-led talks, in order to ensure that all resulting peacebuilding efforts are gender-responsive and consider the differential impact of conflict on women and girls, and their specific needs and interests;

32. *Recalls* that the International Criminal Court was established to help to end impunity for such crimes where the State is unwilling or unable to genuinely carry out investigations or prosecutions;

33. *Emphasizes* the need to ensure that all those responsible for violations of international humanitarian law or violations and abuses of international human rights law are held to account through appropriate, fair and independent domestic or international criminal justice mechanisms, and stresses the need to pursue practical steps towards this goal, noting the important role that the International Criminal Court can play in this regard;

34. *Reaffirms* that, in the context of an inclusive and credible dialogue, the Syrian people should determine the appropriate process and mechanisms to achieve justice, reconciliation, truth and accountability for gross violations and abuses of international law, as well as reparations and effective remedies for victims;

35. *Emphasizes* that all efforts to bring a peaceful conclusion to the ongoing conflict in the Syrian Arab Republic must fully reflect the importance of ensuring accountability for the crimes committed in the country, as a prerequisite to bring about reconciliation and sustainable peace;

36. *Expresses deep concern* at the growing number of refugees and internally displaced persons fleeing the violence in the Syrian Arab Republic, welcomes the efforts by neighbouring countries to host Syrian refugees, and acknowledges the socioeconomic consequences of the presence of large-scale refugee populations in those countries;

37. *Deplores* the deteriorating humanitarian situation in the Syrian Arab Republic, and urges the international community to provide urgent financial support to enable the host countries to respond to the growing humanitarian needs of Syrian refugees, while emphasizing the principle of burden-sharing;

38. *Demands* that the Syrian authorities facilitate, and all other parties to the conflict do not hinder, the full, immediate and safe access of the United Nations and humanitarian actors, including to hard-to-reach and besieged areas, in accordance with Security Council resolutions 2139 (2014), 2165 (2014) of 14 July 2014, 2191 (2014) of 17 December 2014, 2254 (2015), 2258 (2015) and 2268 (2016), and calls upon Member States to fully fund the United Nations appeals;

39. *Welcomes* the initiative of the United Kingdom of Great Britain and Northern Ireland, Germany, Norway, Kuwait and the United Nations to co-host the London conference on supporting the Syrian Arab Republic and the region on 4 February 2016, which raised new funding to meet the immediate and long-term needs of those affected by the Syrian crisis, and renews its call upon all members of the international community to respond expeditiously to the Syrian humanitarian appeals and to fulfil all previous pledges, including from the London conference;

40. *Takes note* of those countries outside the region that have put in place measures and policies to assist and to host Syrian refugees, and encourages them to do more, and encourages other States outside the region to consider implementing similar measures and policies, also with a view to providing Syrian refugees with protection and humanitarian assistance;

41. *Reaffirms* that there can only be a political solution to the conflict in the Syrian Arab Republic, and urges the parties to the conflict to abstain from actions that may contribute to the continuing deterioration of the human rights, security and humanitarian situation, in order to reach a genuine political transition, based on the Geneva communiqué, consistent with Security Council resolutions 2254 (2015) and 2268 (2016), that meets the legitimate aspirations of the Syrian people for a civil, democratic and pluralistic State, where all citizens receive equal protection, regardless of gender, religion or ethnicity;

42. *Demands* that all parties work urgently towards the comprehensive implementation of the Geneva communiqué, including through the establishment of an inclusive transitional governing body with full executive powers, which shall be formed on the basis of mutual consent while ensuring the continuity of governmental institutions;

43. *Decides* to convene a high-level panel discussion on the situation of human rights in the Syrian Arab Republic at its thirty-fourth session, in consultation with the Independent International Commission of Inquiry, including on the issue of enforced disappearances and arbitrary detention, and the need for accountability for related violations and abuses, featuring witness testimony and Syrian voices, and requests the Office of the United Nations High Commissioner for Human Rights to liaise with States and all stakeholders, including relevant United Nations agencies, funds and programmes, special procedures of the Human Rights Council, national human rights institutions and civil society, with a view to ensuring their participation in the panel discussion;

44. *Requests* the Office of the High Commissioner to prepare a report, in the form of a summary, on the high-level panel discussion, to be presented to the Human Rights Council at its thirty-fifth session;

45. *Decides* to remain seized of the matter.

United Nations A/HRC/33/L.31

General Assembly

Distr.: Limited
27 September 2016

Original: English

Human Rights Council
Thirty-third session
Agenda item 4
Human rights situations that require the Council's attention

Andorra,* Australia,* Austria,* Belgium, Bosnia and Herzegovina,* Bulgaria,* Canada,* Croatia,* Cyprus,* Czechia,* Denmark* Estonia,* Finland,* France, Germany, Greece,* Hungary,* Iceland,* Ireland,* Italy,* Latvia, Liechtenstein,* Lithuania,* Luxembourg,* Malta,* Monaco,* Montenegro,* Netherlands, Poland,* Portugal, Romania,* Slovakia,* Slovenia, Spain,* Sweden,* United Kingdom of Great Britain and Northern Ireland, United States of America:* draft resolution

33/... Human rights situation in Burundi

The Human Rights Council,

Guided by the principles and purposes of the Charter of the United Nations,

Recalling the Universal Declaration of Human Rights, the International Covenants on Human Rights and other relevant international human rights instruments,

Recalling also General Assembly resolution 60/251 of 15 March 2006 and Human Rights Council resolution 5/1 of 18 June 2007,

Recalling further Human Rights Council resolutions 30/27 of 2 October 2015, on technical assistance and capacity-building for Burundi in the field of human rights, and S-24/1 of 17 December 2015, on the prevention of the deterioration of the human rights situation in Burundi,

Recalling also Security Council resolutions 2248 (2015) of 12 November 2015, 2279 (2016) of 1 April 2016 and 2303 (2016) of 29 July 2016,

Reaffirming that States have the primary responsibility for the promotion and protection of all human rights and fundamental freedoms,

Stressing the primary responsibility of the Government of Burundi for ensuring security in its territory and protecting its population with respect for the rule of law, human rights and international humanitarian law, as applicable,

Reaffirming its strong commitment to the sovereignty, political independence, territorial integrity and unity of Burundi,

* State not a member of the Human Rights Council.

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Reaffirming also the Arusha Agreement, which has been the basis for the Constitution of Burundi, provides the foundation for peacebuilding, national reconciliation and the strengthening of democracy and the rule of law,

Considering that the international community, including the Human Rights Council, can play an important and helpful role in preventing the further deterioration of the human rights situation in Burundi by highlighting the human rights violations and abuses and the risk of escalation of the conflict,

Recognizing the importance of the prevention of human rights violations and abuses in Burundi, especially in the context of past mass atrocities in the region,

Expressing grave concern about the increase in violence and the serious human rights violations and abuses in Burundi since the beginning of the crisis in April 2015,

Stressing the urgency of convening a genuine and inclusive inter-Burundian dialogue, based on respect for the Constitution and the Arusha Agreement, and welcoming in this regard the meetings recently organized in the framework of the political dialogue for Burundi under the auspices of the Facilitator of the East African Community, Benjamin William Mkapa, and the conclusion on Burundi adopted by the Heads of State at the Summit of the East African Community on 8 September 2016, in Dar es-Salaam,

Noting with appreciation the support of the international community for the search for a peaceful solution to the crisis facing Burundi, including, inter alia, the efforts of the African Union, the East African Community, the African Commission on Human and Peoples' Rights, previous independent experts on Burundi and the Peacebuilding Commission,

Noting decision 1 (90) adopted by the Committee on the Elimination of Racial Discrimination, at its ninetieth session under its early warning and urgent action procedures, on Burundi,

Noting the statement of 24 August 2016 on Burundi, made by the Special Adviser on the Prevention of Genocide, in which he expressed his concerns about inflammatory statements by public officials that could constitute an incitement to violence,

Noting positively the cooperation of the Government of Burundi with the United Nations High Commissioner for Human Rights and with the group of independent experts established by the Human Rights Council in its resolution S-24/1,

Welcoming the work of the group of independent experts, and expressing deep concern about the content of their final report,

Alarmed by the conclusions made by the independent experts that gross violations are systematic and patterned and that impunity is pervasive, and that without determined action by the Government of Burundi and robust and renewed engagement by the international community, including the United Nations and the African Union, the downward spiral of the country will be difficult to stop,

Reaffirming the expectations of cooperation by States Members of the Human Rights Council with international human rights mechanisms, and giving due consideration to the recommendation of the independent experts in this regard,

1. *Expresses its deep concern* about the continuous and accelerated deterioration of the human rights, economic and humanitarian situation in Burundi, in particular the situation of women and children;

[1] A/HRC/33/37

2. *Strongly condemns* all violations and abuses of human rights in Burundi by all actors, particularly those involving mass arbitrary arrests and detentions, including cases involving children, cases of torture and other cruel, inhuman and/or degrading treatment, extrajudicial killings, enforced disappearances, sexual and gender-based violence, persecutions of and threats against members of civil society, journalists, members of the opposition and demonstrators, including young demonstrators, and restrictions on the freedoms of expression, peaceful assembly and association, creating a climate of intimidation and fear that paralyses the whole of society;

3. *Expresses grave concern* that the independent experts cannot exclude that some of these serious human rights violations and abuses constitute crimes against humanity;

4. *Alarmed* by information about the existence of unacknowledged places of detention, which include secret cells within national intelligence service (SNR) compounds, and the private residences of high-level officials;

5. *Expresses grave concern* about the reports that most of the violations and abuses are being committed by the Burundian security forces and the Imbonerakure in a climate of impunity;

6. *Deplores* the fact that, although in certain cases investigations into serious human rights violations and abuses have been launched, they have not yielded credible results;

7. *Denounces* all parties whose actions contribute to the persistence of violence and hinder the promotion of a peaceful solution to the crisis, including armed groups, such as the Imbonerakure;

8. *Expresses concern* about the situation of Burundian human rights defenders, many of whom are forced into exile, and calls upon the Government of Burundi to allow human rights defenders to work in Burundi and to protect their human rights;

9. *Strongly condemns* all public statements coming from inside or outside the country that incite violence or hatred towards different groups in Burundian society, and demands that the Government of Burundi and other parties refrain from any statements or actions that could exacerbate tensions and publicly condemn any such statements, so as to take into account the best interests of the country and to respect fully the letter and the spirit of the Arusha Agreement, a backbone for peace and democracy;

10. *Calls upon* the Government of Burundi to respect, protect and guarantee all human rights and fundamental freedoms for all, in line with the State's international obligations, to adhere to the rule of law and to undertake transparent accountability for acts of violence;

11. *Also calls upon* the Government of Burundi to comply fully with its responsibilities and to ensure the safety and the protection of its population in full respect of international law;

12. *Reaffirms its call* on the Burundian authorities to conduct thorough and independent investigations of crimes involving serious violations and abuses of human rights so that all perpetrators, regardless of their affiliation, are held to account before a court;

13. *Notes* the opening by the Prosecutor of the International Criminal Court in April 2016 of a preliminary examination into the situation in Burundi since April 2015, and recalls the obligations of Burundi as a State party to the Rome Statute of the International Criminal Court, including its obligations to fight impunity for crimes falling within the jurisdiction of the Court;

14. *Also notes* the reports of a decrease in the number of extrajudicial killings, and the steps taken by the Government of Burundi to withdraw some bans on media and civil society organizations, to cancel some arrest warrants and to release a number of detainees, calls for the immediate end to all extrajudicial killings and all other human rights violations and abuses, and urges the Government to authorize all media outlets to resume freely their activities, and to release all political prisoners;

15. *Deplores* the unprecedented non-cooperation of the Government of Burundi with the Committee against Torture during the review of the State on 29 July 2016, and the retaliatory threat to disbar Burundian lawyers participating in the review;

16. *Recalls* that all States Members of the Human Rights Council should uphold the highest standards in the promotion and protection of human rights, reiterates its urgent call to the Government of Burundi to be mindful of these standards, and notes the importance of cooperation with international human rights mechanisms as part of those efforts;

17. *Encourages* the Government of Burundi to cooperate with the regionally led mediation to enable it to immediately convene an inclusive and genuine inter-Burundian dialogue involving all concerned and peaceful stakeholders, both those who are in Burundi and those outside the country, including the meaningful participation of women, in order to reach a consensual and nationally owned solution that would aim to preserve peace, strengthen democracy and ensure the enjoyment of human rights for all in Burundi;

18. *Invites* the Government of Burundi to respect its commitment, expressed in its letter to the President of the Security Council on 15 July 2016, to facilitate without delay the deployment of a United Nations police component, including 228 United Nations police officers, as foreseen by the Security Council in its resolution 2303 (2016), and urges the Government to guarantee unhindered access by United Nations staff to detention centres and detainees;

19. *Calls upon* the Burundian authorities to ensure equitable political processes and to enable the holding of free, fair and transparent democratic elections;

20. *Welcomes and supports* the ongoing efforts made at the regional and subregional levels, including by the East African Community and the Peace and Security Commission of the African Union, to monitor the situation of human rights in Burundi and to contribute to its improvement;

21. *Welcomes* the work of the African Union human rights observers deployed in Burundi, and encourages a full deployment of all observers as soon as possible;

22. *Expresses its deep concern* about the difficult situation of the more than 295,000 Burundians who have fled to neighbouring countries and of some 100,000 internally displaced persons, and welcomes the efforts of host countries;

23. *Decides* to create for a period of one year a commission of inquiry:

(*a*) To conduct a thorough investigation into human rights violations and abuses in Burundi since April 2015, including on their extent and whether they may constitute international crimes, with a view to contributing to the fight against impunity;

(*b*) To identify alleged perpetrators of human rights violations and abuses in Burundi with a view to ensuring full accountability;

(*c*) To formulate recommendations on steps to be taken with a view to guaranteeing that the authors of these violations and abuses, regardless of their affiliation, are held accountable for their acts;

(*d*) To engage with the Burundian authorities and all other stakeholders, in particular United Nations agencies, civil society, refugees, the field presence of the Office of the High Commissioner in Burundi, authorities of the African Union, and the African Commission on Human and Peoples' Rights, in order to provide the support and expertise for the immediate improvement of the situation of human rights and the fight against impunity;

(*e*) To present an oral briefing to the Human Rights Council at its thirty-fourth and thirty-fifth sessions, and a final report during an interactive dialogue at its thirty-sixth session;

(*f*) To present its report to the General Assembly and other relevant international bodies;

24. *Urges* the Government of Burundi to cooperate fully with the commission of inquiry, to authorize it to conduct visits to the country and to provide it with all the information necessary to fulfil its mandate;

25. *Requests* the immediate operationalization of the commission of inquiry, and also requests that the Office of the High Commissioner be provided with all the resources necessary, including in specialized ballistic and forensic expertise, and expertise in sexual and gender-based violence, to fulfil the mandate;

26. *Decides* to remain seized of the matter.

United Nations A/HRC/33/L.32

General Assembly

Distr.: Limited
27 September 2016

Original: English

Human Rights Council
Thirty-third session
Agenda item 2
Annual report of the United Nations High Commissioner for Human Rights and reports of the Office of the High Commissioner and the Secretary-General

Austria,* Belgium, Bulgaria,* Croatia,* Czechia,* Denmark,* Estonia,* Finland,* France, Germany, Ireland,* Italy,* Latvia, Lithuania,* Luxembourg,* Netherlands, Poland,* Portugal, Romania,* Slovenia, Sweden,* United Kingdom of Great Britain and Northern Ireland: draft resolution

33/... Human rights situation in Yemen

The Human Rights Council,

Guided by the purposes and principles of the Charter of the United Nations,

Reaffirming the Universal Declaration of Human Rights and relevant international human rights treaties,

Confirming the primary responsibility of States to promote and protect human rights,

Reaffirming its strong commitment to the sovereignty, independence, unity and territorial integrity of Yemen,

Recalling Security Council resolutions 2014 (2011) of 21 October 2011, 2051 (2012) of 12 June 2012 and 2140 (2014) of 26 February 2014, and Human Rights Council resolutions 18/19 of 29 September 2011, 19/29 of 23 March 2012, 21/22 of 27 September 2012, 24/32 of 27 September 2013, 27/19 of 25 September 2014 and 30/18 of 2 October 2015,

Recalling also Security Council resolution 2216 (2015) of 14 April 2015,

Recognizing that the promotion and the protection of human rights are key factors in ensuring a fair and equitable justice system and, ultimately, reconciliation and stability for the country,

Welcoming the acceptance by Yemeni political parties to complete the political transition process on the basis of the Gulf Cooperation Council initiative and its implementation mechanism, and emphasizing the need for the implementation of the

* State not a member of the Human Rights Council

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recommendations made in the outcome document of the National Dialogue Conference, and to complete the drafting of a new Constitution,

Welcoming also the results of the meeting of Yemeni political parties in Riyadh on 17 May 2015 and their commitments to find a political solution of the conflict in Yemen on the basis of the Gulf Cooperation Council initiative, the outcomes of the National Dialogue Conference and Security Council resolution 2216 (2015), and the efforts of the Secretary-General and of his Special Envoy for Yemen,

Welcoming further the positive engagement of the Government of Yemen in the Kuwait peace talks and its acceptance of the road map presented by the Special Envoy of the Secretary-General for Yemen, and encouraging it to continue its efforts to realize peace and stability in Yemen,

Recalling its calls for an investigation into all cases of violations and abuses of human rights, and the relevant calls made by the United Nations High Commissioner for Human Rights,

Noting the release of the preliminary detailed report by the national independent commission of inquiry in August 2016, and welcoming the extension of the mandate of the commission of inquiry for a year by Presidential Decree No. 97 of 24 August 2016 in order to accomplish its mandate,

Welcoming the willingness of the commission of inquiry to continue to work towards the completion of its task intensively during the specified period, in accordance with Presidential Decree No. 97,

Noting with concern the assessment of the High Commissioner on the level of cooperation between the Office of the High Commissioner and the commission of inquiry,

Aware of reports of the Office for the Coordination of Humanitarian Affairs that the existing humanitarian emergency affects the enjoyment of social and economic rights, and that the parties to the conflict must ensure that humanitarian aid is facilitated and not hindered,

1. *Takes note* of the report of the United Nations High Commissioner for Human Rights on the situation of human rights in Yemen,[1] and of the debate held during the thirty-third session of the Human Rights Council;

2. *Expresses deep concern* at the serious abuses and violations of international human rights law and international humanitarian law in Yemen, including, contrary to international treaties, the continued recruitment of children, the abduction of political activists, violations against journalists, the killing of civilians, the bombing of markets and other civilian infrastructures, the prevention of access by relief and humanitarian aid, the cutting of electricity and water supplies and attacks against hospitals and ambulances;

3. *Calls upon* all parties to the conflict in Yemen to respect their obligations under international human rights law and international humanitarian law, to stop immediately attacks on civilians and to ensure humanitarian access to the affected population nationwide, and also to facilitate the restoration of adequate import levels of basic humanitarian goods and services;

4. *Calls upon* the Government to take further measures to protect civilians, and to take appropriate measures to ensure the continuity of effective investigation by the national independent commission of inquiry, in order to end impunity in all cases of

[1] A/HRC/33/38

violations and abuses of human rights and international humanitarian law, including cases of violence against journalists and the detention of journalists and political activists;

5. *Calls upon* all parties to the conflict in Yemen to implement fully Security Council resolution 2216 (2015), which will contribute to an improvement in the situation of human rights and contains specific concerns, and places particular demands on Saleh and Houthi militias to release political prisoners and journalists and to engage in the political process in an inclusive, peaceful and democratic way, ensuring that women are part of the political and peacemaking process, and also calls upon all parties to sign the road map presented by the Special Envoy of the Secretary-General for Yemen;

6. *Demands* that all parties to the conflict end the recruitment and use of children, and attacks on schools, and release those who have already been recruited, and calls upon all parties to cooperate with the United Nations for their reintegration into their communities, taking into consideration the relevant recommendations made by the Secretary-General in his report on children and armed conflict;[2]

7. *Reiterates* the commitments and obligations of the Government of Yemen to promote and protect the human rights of all individuals within its territory and subject to its jurisdiction, and in that connection recalls that Yemen is a party to the International Convention on the Elimination of All Forms of Racial Discrimination, the Convention on the Elimination of All Forms of Discrimination against Women, the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the Convention on the Rights of the Child and the Optional Protocols on the involvement of children in armed conflict and on the sale of children, child prostitution and child pornography thereto, the Convention on the Rights of Persons with Disabilities, and the Convention relating to the Status of Refugees and the Protocol thereto, and looks forward to the Government continuing its efforts to promote and protect human rights;

8. *Expresses deep concern* at the deteriorating human rights situation in Yemen, expresses its appreciation to donor States and organizations working on improving the humanitarian situation, and calls upon the international community to provide financial support for the Yemen humanitarian response plan for 2016, and to fulfil their pledges to the relevant United Nations humanitarian appeal;

9. *Invites* all bodies of the United Nations system, including the Office of the High Commissioner, and Member States to assist the transitional process in Yemen, including by supporting the mobilization of resources to tackle the consequences of the violence and the economic and social challenges faced by Yemen, in coordination with the international donor community and according to the priorities set by the Yemeni authorities;

10. *Requests* the Office of the High Commissioner to dispatch a mission, with assistance from relevant experts, to monitor and report on the situation of human rights in Yemen, on violations and abuses thereof since September 2014, and to collect and preserve information in order to establish the facts and circumstances of such violations and abuses, and to provide an oral update to the Human Rights Council at its thirty-fourth session on its findings and to submit a report to the Council at its thirty-sixth session;

11. *Requests* the High Commissioner to provide technical assistance and to work with the Government of Yemen, as requested by the Government and in accordance with Human Rights Council resolution 30/18, in the field of capacity-building and

[2] A/70/836–S/2016/360.

accountability, and to identify additional areas of assistance, to help enable Yemen to fulfil its human rights obligations, and specifically requests the Office of the High Commissioner in Yemen to continue to assist and monitor the national independent commission of inquiry in meeting its work in accordance with its international obligations, as mandated in Presidential Decree No. 140/2012.

United Nations A/HRC/33/L.33

General Assembly

Distr.: Limited
27 September 2016

Original: English

Human Rights Council
Thirty-third session
Agenda item 2
Annual report of the United Nations High Commissioner for Human Rights and reports of the Office of the High Commissioner and the Secretary-General

Albania, Australia,* Belgium, Canada,* Croatia,* Cyprus,* Czechia,* El Salvador, Estonia,* France, Germany, Iceland,* Ireland,* Italy,* Liechtenstein,* Lithuania,* Luxembourg,* Netherlands, Norway,* Romania,* Spain,* Switzerland, United Kingdom of Great Britain and Northern Ireland, United States of America:* draft resolution

33/... Technical assistance and capacity-building to improve human rights in the Sudan

The Human Rights Council,

Guided by the principles and purposes of the Charter of the United Nations,

Recalling the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights and other relevant international human rights instruments,

Recalling also General Assembly resolution 60/251 of 15 March 2006 and Human Rights Council resolutions 5/1 and 5/2 of 18 June 2007,

Taking note of the communique of 13 June 2016 of the Peace and Security Council of the African Union on the situation in Darfur, in which the Government of the Sudan is urged to spare no efforts to arrest and prosecute all perpetrators of criminal actions and attacks against personnel and assets of the African Union-United Nations Hybrid Operation in Darfur and against humanitarian organizations and their staff, and referring to the statement of 9 August 2016 by the Chairperson of the African Union Commission in which the parties are urged to ensure rapid progress in negotiations to achieve lasting, sustainable peace,

Emphasizing that States have the primary responsibility for the promotion and protection of all human rights,

Reaffirming the importance of peace, security and political stability for the realization of all civil, political, economic, social and cultural rights,

* State not a member of the Human Rights Council

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Welcoming the stated commitment of the Government of the Sudan to protect and promote human rights in the country,

Welcoming also the national strategy, which runs until 2018, for eradicating female genital mutilation in a generation, and urging its full implementation,

Noting the developments in the Sudan and the record of the Government of the Sudan in the promotion and protection of human rights,

Welcoming the cooperation of the Government of the Sudan during the April 2016 visit by the Independent Expert on the situation of human rights in the Sudan and the November 2015 visit by the Special Rapporteur on the negative impact of unilateral coercive measures on the enjoyment of human rights,

Welcoming also the adoption by the Government of the Sudan in March 2016 of an action plan signed by the Government and the United Nations to prevent the unlawful recruitment and use of children by the security forces of the Government of the Sudan by strengthening mechanisms for the protection of children, and urging its full implementation,

Encouraging the efforts of the Government of the Sudan to implement the recommendations that it accepted as part of the universal periodic review process, encouraging freedom of movement, and expressing serious concern that the Government restricted the travel of individuals seeking to participate in the pre-session meeting in March 2016 relating to the universal periodic review of Sudan,

Emphasizing the need to ensure that humanitarian access is available and assistance is provided to internally displaced persons,

1. *Welcomes* the work of the Independent Expert on the situation of human rights in the Sudan;

2. *Takes note* of the report of the Independent Expert submitted to the Human Rights Council at its thirty-third session,[1] and of the comments of the Government of the Sudan thereon;

3. *Notes* the cooperation of the Government of the Sudan with the Independent Expert to enable him to fulfil his mandate, and the Government's stated commitment to continue that cooperation;

4. *Encourages* the process of conducting a comprehensive, national dialogue in the Sudan with a view to achieving sustainable peace, and encourages all Sudanese stakeholders to ensure an environment conducive to an inclusive, transparent and credible dialogue;

5. *Welcomes* the declarations by the Government of the Sudan of cessation of hostilities in the two areas and the end of military operations in Darfur in June 2016, and encourages all parties to create a conducive atmosphere for, and to sign, a permanent ceasefire, in order to achieve a durable peace that is respected by all parties and that leads to a lasting improvement in the human rights situation;

6. *Notes* the observation by the Independent Expert that despite some progress, the relevant parties have yet to implement many of the recommendations made in his report to the Human Rights Council at its thirtieth session, which included the following: for the Government of the Sudan to continue deepening its efforts to combat impunity, to prevent the interference of government in the activities of civil society, for the Government to provide to the National Commission for Human Rights additional financial resources

[1] A/HRC/33/65.

necessary to fulfil its mandate, to continue its efforts in the national dialogue to realize an inclusive, transparent process, and to work with all partners to facilitate humanitarian assistance; for the international community to enhance its technical cooperation with and assistance to the Government, to pursue efforts to support national dialogue, to continue to work closely with civil society stakeholders, and to provide internally displaced persons with humanitarian assistance; and for opposition armed movements in the Sudan to take concrete action towards implementing the recommendations by previous mandate holders, in particular with regard to respect for human rights and international humanitarian law;

7. *Notes* the commitment of the Government of the Sudan to reinforce human rights education and to continue to incorporate human rights principles in the education system, and encourages the Government to enhance its efforts to fully implement the national plan for the protection and promotion of human rights for 2013-2023;

8. *Also notes* the continued efforts made by the Government of the Sudan in combating human trafficking, and the establishment of the national commission for combatting human trafficking;

9. *Notes with appreciation* the hosting by the Sudan of hundreds of thousands of refugees from neighbouring countries and countries in the region;

10. *Encourages* the Government of the Sudan to further promote and protect the right to freedom of religion or belief, and in this respect to comply with its constitutional and international obligations;

11. *Stresses* that conducting independent, transparent investigations into alleged human rights abuses and violations by all parties and holding perpetrators accountable needs to be a foremost priority of the Government of the Sudan;

12. *Expresses serious concern* at reports of the closure of some non-governmental organizations and restrictions on the media, pre- and post-publication censorship, the seizure of newspapers and the banning of some journalists, and at violations of the rights to freedom of expression, freedom of association and peaceful assembly, including of human rights defenders, journalists, members of the political opposition, students and other members of civil society;

13. *Also expresses serious concern* about reported cases of arbitrary arrest and detention, including of human rights defenders, journalists, members of the political opposition, students and other members of civil society;

14. *Condemns* any party's violations or abuses of human rights and violations of international humanitarian law reported in the States of Darfur, Southern Kordofan and Blue Nile, including those involving the killing of civilians and humanitarian aid workers, the obstruction of humanitarian assistance, the indiscriminate bombing of civilian populations and humanitarian facilities, sexual and gender-based violence, and the burning of villages, and urges all parties to embrace peace and to sign a permanent ceasefire;

15. *Urges* the Government of the Sudan to investigate allegations of human rights violations in the camps for internally displaced persons, with a view to ending such violations;

16. *Encourages* all parties to facilitate humanitarian access to populations in need of assistance, and encourages the Government of the Sudan to intensify its endeavours to address humanitarian needs in conflict-affected areas;

17. *Encourages* the Government of the Sudan to ratify international human rights instruments, as supported by the Government during its universal periodic review process;

18. *Encourages* the commitment of the Government of the Sudan to comprehensive national legal reform initiatives to guarantee full compliance of the State with its constitutional and international human rights obligations, such as the revision of the Press Act, the Community Protection Law at the state level and the National Security Act, takes note of amendments to the provisions of the Criminal Act (1991), such as those which redefine the offence of rape and dissociate it from adultery and those which introduce the offence of sexual harassment, and notes the promulgation and implementation of the Act on Combating Human Trafficking and the Smuggling of Persons, the Anti-Corruption Act, and the Act on the Rights of Persons with Disabilities;

19. *Urges* Member States, the United Nations High Commissioner for Human Rights, relevant United Nations agencies and other stakeholders to support the national efforts of the Government of the Sudan in accordance with the present resolution with a view to further improving the human rights situation in the country, by responding to the Government's requests for technical assistance;

20. *Requests* the Office of the High Commissioner, taking into account the recommendations of the Independent Expert, to provide technical assistance and capacity-building in response to the request from the Government of the Sudan for support on ways to improve the human rights situation in the country and with a view to providing support for the country to fulfil its human rights obligations, including specifically assistance with the legal reforms under way in the country as described in paragraph 18 above so as to help to reconcile those laws with the international obligations of the Sudan;

21. *Expresses deep concern* at the human rights situation and the security situation in conflict-affected areas, particularly in the Darfur region and in the States of Southern Kordofan and Blue Nile, and the profoundly negative impact of this on civilians, in particular women and children, and encourages the Government of the Sudan to continue its cooperation in order to facilitate the visits of the Independent Expert to conflict zones, in fulfilment of the mandate;

22. *Decides* to renew the mandate of the Independent Expert on the situation of human rights in the Sudan for a period of one year, under agenda item 2, to continue the engagement of the mandate holder with the Government of the Sudan to assess, verify and report on the human rights situation with a view to making recommendations on technical assistance and capacity-building to address the situation of human rights in the country, considering a full range of information, including information presented by the Government and viewpoints of civil society and of other relevant stakeholders that can assist the mandate holder in the implementation of the mandate;

23. *Requests* the Independent Expert to present a report to the Human Rights Council for its consideration at its thirty-sixth session;

24. *Calls upon* the Government of the Sudan to fully cooperate with the Independent Expert and to permit effective access to visit all areas of the country, and to meet with all relevant actors;

25. *Requests* the Office of the High Commissioner to provide all necessary financial and human resources support to the Independent Expert for the implementation of the mandate;

26. *Calls upon* the Government of the Sudan to continue to cooperate with the Office of the High Commissioner in the implementation of the present resolution;

27. *Decides* to consider this issue under agenda item 2.

United Nations A/HRC/33/L.34

General Assembly

Distr.: Limited
28 September 2016

Original: English

Human Rights Council
Thirty-third session
Agenda item 3
Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

Cuba, Russian Federation, Venezuela (Bolivarian Republic of): amendment to draft resolution A/HRC/33/L.28

33/... Equal participation in political and public affairs

1. **Paragraph 8**

Paragraph 8 *should read*:

8. *Requests* the Office of the High Commissioner to organize a one-day open-ended intergovernmental workshop to discuss the most effective ways to address existing gaps and challenges in the implementation of the international obligations of States with regard to the right to participate in public affairs, as set out in article 25 of the International Covenant on Civil and Political Rights, and to prepare a summary report on the workshop and to submit it to the Human Rights Council at its thirty-sixth session;

2. **Paragraphs 9 and 10**

Delete paragraphs 9 and 10.

GE.16-16678(E)
1616678

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United Nations A/HRC/33/L.35

General Assembly

Distr.: Limited
29 September 2016

Original: English

Human Rights Council
Thirty-third session
Agenda item 3
Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

Russian Federation, Venezuela (Bolivarian Republic of): amendment to draft resolution A/HRC/33/L.21

33/... Cultural rights and the protection of cultural heritage

1. **Sixteenth preambular paragraph**

The sixteenth preambular paragraph *should read*

Highlighting the important contribution made by those involved in the protection of the cultural heritage of all humankind,

2. **Paragraph 10 and paragraph 13 (*b*)**

For cultural rights defenders *read* those involved in the protection of cultural heritage

GE.16-16750(E)

1616750

United Nations A/HRC/33/L.36

General Assembly

Distr.: Limited
27 September 2016

Original: English

Human Rights Council
Thirty-third session
Agenda item 3
Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

China, Cuba, Venezuela (Bolivarian Republic of): amendment to draft resolution A/HRC/33/L.10

33/... Human rights and transitional justice

The twenty-fifth preambular paragraph *should read*

Taking note of the frameworks of analysis developed by the Special Adviser on the Prevention of Genocide,

GE.16-16667(E)

1616667

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United Nations A/HRC/33/L.37

General Assembly

Distr.: Limited
27 September 2016

Original: English

Human Rights Council
Thirty-third session
Agenda item 3
Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

China, Cuba, Venezuela (Bolivarian Republic of): amendment to draft resolution A/HRC/33/L.10

33/... Human rights and transitional justice

Paragraph 7 *should read*:

7. *Calls upon* States to work to prevent potential situations that could result in gross violations and abuses of human rights and serious violations of international humanitarian law, in particular genocide, war crimes, ethnic cleansing, crimes against humanity, and, in relevant contexts, to timely and efficiently address the legacy of past atrocities in order to prevent their recurrence, including through cooperation with the Special Adviser to the Secretary-General on the Prevention of Genocide and the Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence;

GE.16-16665(E)

1616665

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United Nations A/HRC/33/L.38

General Assembly

Distr.: Limited
29 September 2016

Original: English

Human Rights Council
Thirty-third session
Agenda item 3
Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

Russian Federation: amendment to draft resolution A/HRC/33/L.3/Rev.1

33/... Preventable maternal mortality and morbidity and human rights

The third preambular paragraph *should read*:

Reaffirming the Beijing Declaration and Platform for Action and the Programme of Action of the International Conference on Population and Development, and their review conferences and outcome documents, and reaffirming also the resolutions and agreed conclusions of the Commission on the Status of Women,

GE.16-16751(E)

1616751

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United Nations A/HRC/33/L.39

General Assembly

Distr.: Limited
29 September 2016

Original: English

Human Rights Council
Thirty-third session
Agenda item 3
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Russian Federation: amendment to draft resolution A/HRC/33/L.3/Rev.1

33/... Preventable maternal mortality and morbidity and human rights

The sixth preambular paragraph *should read*:

Taking note of the Secretary-General's renewed Global Strategy on Women's, Children's and Adolescents' Health, and recognizing the important role it may play in reducing preventable maternal mortality and morbidity,

GE.16-16752(E)

1616752

Please recycle

United Nations A/HRC/33/L.43

General Assembly

Distr.: Limited
29 September 2016

Original: English

Human Rights Council
Thirty-third session
Agenda item 3
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Russian Federation: amendment to draft resolution A/HRC/33/L.3/Rev.1

33/... Preventable maternal mortality and morbidity and human rights

The eighth preambular paragraph should read:

Stressing that reducing maternal mortality and morbidity will require efforts across the 2030 Agenda for Sustainable Development and the Addis Ababa Action Agenda of the Third International Conference on Financing for Development

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[1] General Assembly resolution 69/313.

United Nations A/HRC/33/L.41

General Assembly

Distr.: Limited
29 September 2016

Original: English

Human Rights Council
Thirty-third session
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Russian Federation: amendment to draft resolution A/HRC/33/L.3/Rev.1

33/... Preventable maternal mortality and morbidity and human rights

The tenth preambular paragraph *should read*

Reaffirming that States parties to the International Covenant on Economic, Social and Cultural Rights have an obligation to take steps to achieve the full realization of the right of everyone to the enjoyment of the highest attainable standard of physical and mental health, including sexual and reproductive health, as an integral part of that right,

GE.16-16755(E)
1616755

Please recycle

United Nations A/HRC/33/L.42

General Assembly

Distr.: Limited
29 September 2016

Original: English

Human Rights Council
Thirty-third session
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Russian Federation: amendment to draft resolution A/HRC/33/L.3/Rev.1

33/... Preventable maternal mortality and morbidity and human rights

The eleventh preambular paragraph *should read*

Recognizing that, in accordance with the Beijing Platform for Action and the Programme of Action of the International Conference on Population and Development and their review conferences and outcome documents, sexual and reproductive health and reproductive rights are integral to the progressive realization of the right of everyone to the enjoyment of the highest attainable standard of physical and mental health, and that comprehensive sexual and reproductive health care and services contain the interrelated and essential elements of availability, accessibility, affordability, acceptability and quality, on the basis of non-discrimination and formal and substantive equality, while including the need to address intersectional and multiple forms of discrimination,

GE.16-16756(E)

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United Nations A/HRC/33/L.43

General Assembly

Distr.: Limited
29 September 2016

Original: English

Human Rights Council
Thirty-third session
Agenda item 3
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Russian Federation: amendment to draft resolution A/HRC/33/L.3/Rev.1

33/... Preventable maternal mortality and morbidity and human rights

The thirteenth preambular paragraph *should read*:

Recognizing that the human rights of women include a woman's right to have control over, and to decide freely and responsibly on, matters related to her sexuality, including sexual and reproductive health, free of coercion, discrimination and violence,

GE.16-16757(E)

1616757

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United Nations A/HRC/33/L.44

General Assembly

Distr.: Limited
29 September 2016

Original: English

Human Rights Council
Thirty-third session
Agenda item 3
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Russian Federation: amendment to draft resolution A/HRC/33/L.3/Rev.1

33/... Preventable maternal mortality and morbidity and human rights

The fourteenth preambular paragraph *should read*

Recognizing the importance of identifying, within the framework of the Sustainable Development Goals, appropriate national indicators in reducing maternal mortality and morbidity,

GE.16-16758(E)
1616758

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United Nations

A/HRC/33/L.45

General Assembly

Distr.: Limited
29 September 2016

Original: English

Human Rights Council
Thirty-third session
Agenda item 3
Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

Russian Federation: amendment to draft resolution A/HRC/33/L.3/Rev.1

33/... Preventable maternal mortality and morbidity and human rights

The nineteenth preambular paragraph *should read*:

Deeply concerned that there are continuing violations of the realization of the sexual and reproductive health and reproductive rights as set out in the Programme of Action of the International Conference on Population and Development, the Beijing Platform for Action and the outcome of their review conferences, and that they have a negative impact on rates of maternal mortality and morbidity, and that the full enjoyment of the above-mentioned rights remains a distant goal for many women and girls throughout the world,

GE.16-16759(E)

1616759

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United Nations A/HRC/33/L.46

General Assembly

Distr.: Limited
29 September 2016

Original: English

Human Rights Council
Thirty-third session
Agenda item 3
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Russian Federation: amendment to draft resolution A/HRC/33/L.3/Rev.1

33/... Preventable maternal mortality and morbidity and human rights

Paragraph 4 *should read*

4. *Urges* States to take steps to ensure that laws, policies and practices respect women's equal right to decide autonomously in matters regarding their own lives and health by repealing discriminatory laws and combating gender stereotypes and behaviours that discriminate against them.

GE.16-16760(E)

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United Nations A/HRC/33/L.47

General Assembly

Distr.: Limited
29 September 2016

Original: English

Human Rights Council
Thirty-third session
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Russian Federation: amendment to draft resolution A/HRC/33/L.3/Rev.1

33/... Preventable maternal mortality and morbidity and human rights

Paragraph 5 *should read*:

5. *Takes note* of the report of the Office of the United Nations High Commissioner for Human Rights[1]

[1] A/HRC/33/24

GE.16-16761(E)

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United Nations A/HRC/33/L.48

General Assembly

Distr.: Limited
29 September 2016

Original: English

Human Rights Council
Thirty-third session
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Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

Russian Federation: amendment to draft resolution A/HRC/33/L.3/Rev.1

33/... Preventable maternal mortality and morbidity and human rights

Paragraph 7 *should read*:

7. *Calls upon* all relevant United Nations agencies, programmes and funds within their respective mandates, to provide technical cooperation and assistance to States, upon their request, to support their efforts in implementing their commitments regarding reducing maternal mortality and morbidity;

GE.16-16762(E)
1616762

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United Nations A/HRC/33/L.49

General Assembly

Distr.: Limited
29 September 2016

Original: English

Human Rights Council
Thirty-third session
Agenda item 3
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Russian Federation: amendment to draft resolution A/HRC/33/L.3/Rev.1

33/... Preventable maternal mortality and morbidity and human rights

Delete paragraph 8

GE.16-16763(E)

1616763

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United Nations A/HRC/33/L.50

General Assembly

Distr.: Limited
29 September 2016

Original: English

Human Rights Council
Thirty-third session
Agenda item 3
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Russian Federation: amendment to draft resolution A/HRC/33/L.3/Rev.1

33/... Preventable maternal mortality and morbidity and human rights

Delete paragraph 9

GE.16-16765(E)
1616765

Please recycle

United Nations A/HRC/33/L.51

General Assembly

Distr.: Limited
29 September 2016

Original: English

Human Rights Council
Thirty-third session
Agenda item 3
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Russian Federation: amendment to draft resolution A/HRC/33/L.3/Rev.1

33/... Preventable maternal mortality and morbidity and human rights

Paragraph 12 *should read*

12. *Decides* to convene, at its thirty-fourth session, a panel discussion on preventable maternal mortality and morbidity as a human rights priority for all States, including in the context of the implementation of the 2030 Agenda for Sustainable Development, and that the discussion shall be fully accessible to persons with disabilities.

GE.16-16767(E)
1616767

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